August 2019

Safety and Health Rights, Duties and Responsibilities

The following are the rights and responsibilities of workers, management, supervisors, Physical Plant Local Area Safety and Health Committee (PPLASH Committee) members, prime contractors, and contractors.

All workers have the following 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 PPLASH 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 and Regulations are protected from discriminatory action.**

Management Responsibilities:

- **Provide and maintain** a workplace, necessary equipment, systems and tools that are safe and without risks to health, so far as is reasonably practicable.

- **Provide information, instruction, training, supervision**, and facilities to ensure, so far as is reasonably practicable, the safety, health, and welfare at work of all workers.

- **Ensure that all workers, particularly supervisors**, are acquainted with any safety or health hazards which may be encountered by workers in the course of their service and that workers are familiar with the use of all devices or equipment provided for their protection.

- **Ensure insofar as is reasonably practicable** that University staff, students, or members of the public are not exposed to risks to their safety or health arising out of, or in connection with, work performed by Physical Plant staff.

- **Consult and co-operate with the PPLASH Committee.**

- **Consult and co-operate with any person exercising their duties under Manitoba’s Workplace Safety and Health Act and Regulations.**
• Ensure that all workers are supervised by a person who is competent due to knowledge, training, or experience to ensure that work is performed in a safe manner; and who is familiar with Manitoba’s Workplace Safety and Health Act and Regulations insofar as they apply to the work performed.

Supervisor Responsibilities

So far as is reasonably practicable:

• Take all precautions necessary to protect the safety and health of workers under his or her supervision.

• Ensure that workers under his or her supervision work in the manner and in accordance with the procedures and measures required by Physical Plant safe job procedures, University policy, and Manitoba’s Workplace Safety and Health Act and Regulations.

• Ensure that workers under his or her supervision use all devices and wear all clothing and personal protective equipment designated and provided for their protection by Physical Plant, or required to be used and worn by Physical Plant safe job procedures or Manitoba’s Workplace Safety and Health Act and Regulations.

• Advise workers under his or her supervision of all known or reasonably foreseeable risks to safety and health in the area where the workers are performing work.

• Co-operate with any other person exercising a duty imposed by Manitoba’s Workplace Safety and Health Act and Regulations.

• Comply with Manitoba’s Workplace Safety and Health Act and Regulations.

Worker Responsibilities

• Take reasonable care to protect their safety and health and the safety and health of other persons who may be affected by their acts or omissions at work.

• At all times, when the nature of the work requires, use all devices and wear all articles of clothing and personal protective equipment designated and provided for their protection by the employer, or required to be used and worn by Physical Plant safety job procedures or Manitoba’s Workplace Safety and Health Act and Regulations.

• Consult and co-operate with the PPLASH Committee.

• Comply with Manitoba’s Workplace Safety and Health Act and Regulations.

• Co-operate with any person exercising a duty under Manitoba’s Workplace Safety and Health Act and Regulations.

PPLASH Committee Responsibilities:

• Monitor, review, and evaluate Physical Plant’s safety and health initiatives.
• Consider recommendations, concerns, or suggestions from staff regarding safety and health issues and endorse warranted recommendations.

• Co-ordinate activities with Physical Plant Health and Safety Programs to promote safety and health across Physical Plant.

• Participate in developing and promoting safety and health precautions; as well as education and training programs.

• Conduct regular workplace inspections and participating in safety and health investigations.

• Confirm that incidents have been reported and are being investigated.

• Participate in incident investigations.

• Provide oversight for and make recommendations concerning reported incidents where required.

• Accompany Workplace Safety and Health Division officers on inspection tours as required by Manitoba’s Workplace Safety and Health Act and Regulations.

• Review and make recommendations as required concerning inspection reports from Manitoba’s Workplace Safety and Health Division.

• Review and adopt meeting minutes.

• Conduct inspections as part of the shop safety program no less frequently than every 90 days.

• Provide oversight for the Physical Plant safe job procedure/safe work practice review process.

Responsibilities of Prime Contractors

• 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.

• 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.

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 Manitoba’s Workplace Safety and Health Act and 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 Manitoba’s Workplace Safety and Health Act and Regulations; and comply with the Act and Regulations.

Responsibilities of Contractors

Ensure, so far as is reasonably practicable:

• That every workplace where an employer, employer’s worker or self-employed person works pursuant to a contract with the contractor and 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 Manitoba’s Safety and Health Act and Regulations.

• Comply with Manitoba’s Workplace Safety and Health Act and 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”

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