

## Part C. Principles of health and safety at work

### C.1 Why are goals, principles and key concepts important?

Goals help you figure out where the committee is heading, whether it's next week, next month or next year, or the really long-term.

Principles help you reach those goals. They provide a framework and common ground for committee discussions, activities and decisions. The "objects and purposes" of *The Workplace Safety and Health Act* are one set of principles.

Effective committees will regularly use key ideas and tools over and over again in their activities. These ideas include approaches that are based on principles, and the health and safety law.

### C.2 The law: goals and principles

The Act sets out the goals, names the players, provides the framework and basic "rules" about who must or can do what.

Regulations explain how to deal with specific hazards or situations, based on the framework and goals of the *Act*.

Codes of practice go with specific parts of the *Workplace Safety & Health Regulation*; they now cover working alone/in isolation, powered lift trucks, using explosives and confined space entry.

The Workplace Safety and Health Division also issues guidelines that provide more detailed information to employers, committees and reps about what's expected when dealing with specific hazards, situations and procedures.

**The law** - in this manual, it refers to all of the legislation in Manitoba about workplace safety and health and includes the Act, regulations and codes of practice.

## “Health”, “safety” and “welfare”

These important terms are defined in section 1 of *The Workplace Safety and Health Act*. Every time they are used in the law, the definition applies.

## The goals of Manitoba’s safety and health law

The general objects and purposes of *The Workplace Safety and Health Act* are to:

- *secure workers and self-employed persons from risks to their safety, health and welfare arising out of, or in connection with, activities in their workplaces; and*
- *protect other persons from risks to their safety and health arising out of, or in connection with, activities in workplaces. [Act, section 2(1)]*

In addition, there are specific goals:

- *the promotion and maintenance of the highest degree of physical, mental and social well-being of workers;*
- *the prevention among workers of ill-health caused by their working conditions;*
- *the protection of workers in their employment from factors promoting ill health;*
- *the placing and maintenance of workers in an occupational environment adapted to their physiological and psychological condition.*

[Act, section 2(2)]



### Did you know?

**Definitions** for key words are found in section 1 of the Act. In the regulations, definitions are sometimes listed at the beginning of a specific part.

**Health** means the *condition of being sound in mind, body and spirit and must be used according to the objects and purposes of this Act.*

**Safety** means the *prevention of physical injury to workers and other persons who may be affected by activities in the workplace.*

**Welfare** means the *conditions or facilities, in or near a workplace, provided for the feeding, rest, hygiene or sanitary requirements of a worker.*



### COMMITTEE ACTIVITY

Practice plain language translation of these goals.

“Translate” each part of the objects and purposes into plain language. Pay careful attention to where you see “health” and “safety”. See one “translation” in the *Using the law* Toolbox L.1.

### C. 3 What is a safe and healthy workplace?

Here are some important ingredients for a safe and healthy workplace:

- healthy and well-adjusted workers
- management is committed to safety and health, with evidence of it in daily activities
- few, if any hazards - especially serious ones
- health and safety is included in major planning discussions and decisions
- an overall program that names the safety and health goals and has ways to reach them
- policies and procedures for all parts of the workplace safety and health program
- competent supervisors
- an effective committee or representative
- promotion of health and safety in general, and specific efforts in particular (e.g. posters, regular surveys, topic is on agenda at staff meetings, posted statements about respect at work)

There's a detailed version of this list in the Committee Process Toolbox (CP.20). Use it to compare to the one you develop in the Committee Activity.

### C. 4 Key principles and concepts to get to a healthy and safe workplace

These key principles and concepts include:

- hazard categories
- the principles of prevention
- five steps to a healthy and safe workplace
- workers' rights
- legal responsibilities

#### What are hazards? The six categories we need to "see"

Hazards are things or conditions that are or could be dangerous. They might hurt us, make us ill or kill us.

(Some people use the word **risk** when they mean hazard. The words have different meanings. We use "hazard" to avoid confusion.)

We put hazards into six categories that committees and reps need to "see". The *Hazards - the problems behind*



#### COMMITTEE ACTIVITY

What would a safe and healthy workplace look like?

Divide the committee into two groups if there are more than five or six members. Do the activity using option A or B.

Option A - Each group works together to brainstorm their answers to the question. Use the *Six Thinking Hats* process to help do this (CP.17). Have a member record the answers. After 15 minutes, share the results, one group at a time.

Option B - Using a large piece of paper and coloured markers/pencils/crayons, each group draws a picture of their answers to the question. After 15 minutes, share the results, one group at a time.

Discussing the results, make sure it's clear what the different words or phrases or images mean. Also try answering these questions:

*What do you see?*

*What is there in common?*

*What are the differences?*

*How important are the differences?*

*What would help us discuss these differences?*

Finish the activity by making a new list or a new drawing that includes the goals on which all agree.

Keep all materials and results from this activity for future reference.

**Risk** - is the chance (probability) of a worker's safety and health being affected by a hazard; or of property and/or equipment loss. We use the term "hazard" to avoid confusion.

our symptoms tool is explained in more detail in Part E. There's a copy in the Safety and Health Toolbox (SH.2).

Safety/Mechanical hazards - include incidents involving vehicles, trips or falls, housekeeping, moving machinery parts or equipment that is broken or not working properly.

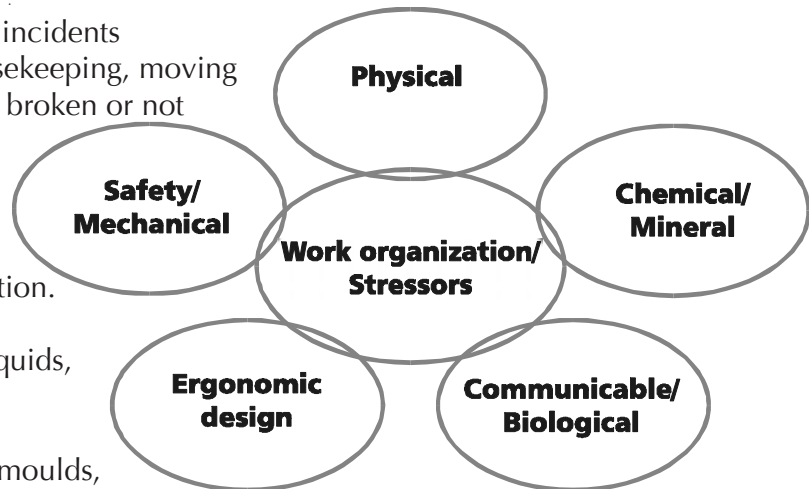
Physical hazards - from energy sources, such as noise, temperature, humidity, electricity, vibration, radiation.

Chemical/Mineral hazards - gases, liquids, solids, dust, fumes, vapours.

Communicable/Biological hazards - moulds, bacteria, viruses, blood-borne pathogens, needle sticks.

Ergonomic design hazards - including repetition, force, awkward and static posture, and the work environment (which includes the physical hazards above).

Work organization hazards/stressors - how work is designed and organized, including workload or other demands, control/say, support, respect, possibilities for violence and the flexibility for dealing with non-work responsibilities.



**Controls** - solutions that don't get rid of a hazard. Sometimes used for all types of solutions.

**Fix** - another word for "solution".

**Solution** - a method or action to prevent or reduce the effects of a hazard. Sometimes called "fix", control or "intervention". Three basic categories of solutions are explained in the *Prevention triangle* (SH.8).

## The principles of prevention

The best prevention is getting rid of hazards. This kind of **solution** is often a long-term goal with several steps along the way. Sometimes, we can't get rid of the hazard and other kinds of solutions must be used to reduce the seriousness of a hazard and/or limit its effects. These **controls** don't get rid of the hazard because it is still there and able to affect people.

Two important principles of prevention are:

Substitution - get rid of toxic substances or processes whenever a healthier and/or safer one is available. Replacements are non-toxic or much less hazardous materials. Substitution also describes changes about how things are done, using a different technology or reorganizing the task to reduce or get rid of hazards.

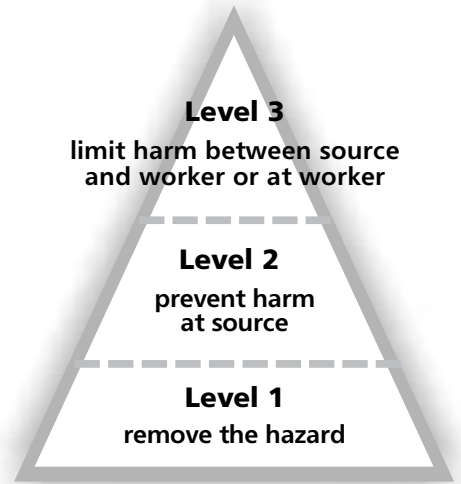
The precautionary principle - It's "better safe than sorry". Basically, there must be proof that something is not harmful before it is used, rather than having workers or the community **exposed** and taking action only when problems appear.

The *Prevention triangle* describes three levels or categories of prevention. It is consistent with the goals of the health and safety law and legal "rules" about how to **fix** hazards. The triangle is also an important tool for recommending solutions. For more details see Part G. The tool is in the Safety and Health Toolbox (SH.13) .

- Level 1 prevention
  - get rid of or eliminate hazards
  - find alternatives using substitution and the precautionary principle
  - often takes more time and effort;
- Level 2 prevention
  - limit the hazard's spread at the source
  - also known as engineering controls
  - usually are medium or short-term solutions;
- Level 3 prevention:
  - limit the harm and reduce hazard by putting something between worker and the hazard
  - controls between hazard and workers ("along the path")
  - controls at the worker - procedures and personal protective equipment
  - other reasons for Level 3 prevention
    - emergencies
    - exposure is very limited or rare
    - waiting for completion of Level 1 or 2 prevention solutions
    - when nothing else is possible.

When developing solutions, it's important to try and get as close as possible to the source of the problem - the hazard.

**Exposed** - a person is exposed to a hazard when it can come in contact with, or get into their body or mind and have an effect.



**The Prevention triangle**



**Did you know?**

These prevention principles are set out in section 6.1(1) of the *Workplace Safety and Health Regulation*.



**COMMITTEE ACTIVITY**

In your committee, use the *Prevention triangle* to discuss:

*For each level of prevention, what are examples of of these kinds solutions in your workplace?*

Sometimes the context affects where a solution fits.

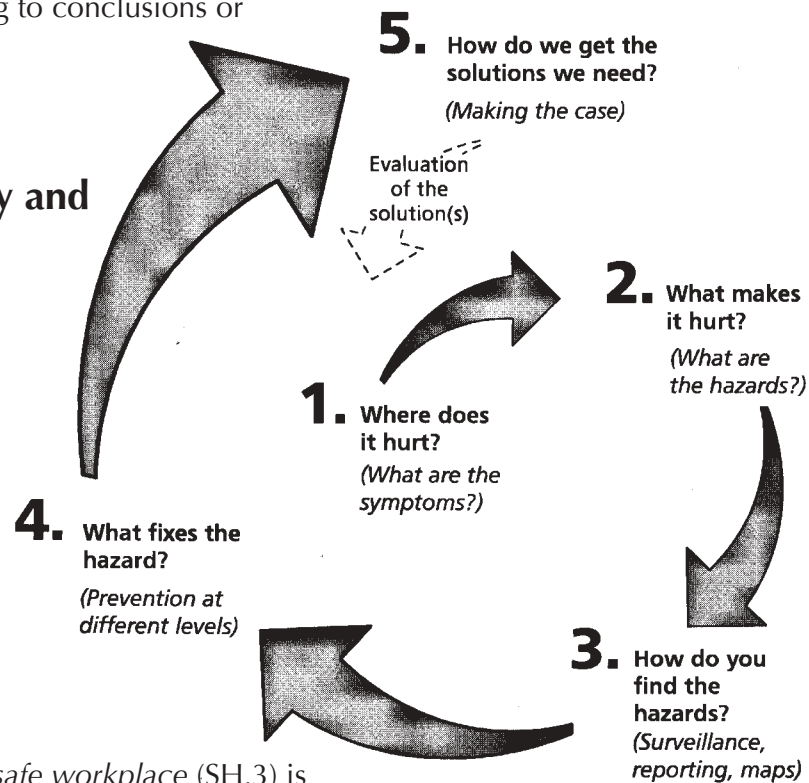
*Why does the solution fit where we put it?*

## Five steps to a healthy and safe workplace

How do you get from where you are now to where you want to be - a healthy and safe workplace? And how do you know when you've achieved any of your goals?

This manual uses a five-step approach that is easy to follow, logical and practical. It's important to do each step to avoid confusion, jumping to conclusions or overlooking key information.

### Five steps to a healthy and safe workplace



The *Five steps to a healthy and safe workplace* (SH.3) is a problem-solving cycle. It starts with people's experiences. How are workers affected by their jobs? What are their symptoms? The first step is **Where does it hurt?** in Part D; it describes different types of symptoms and important concepts related to them.

What's behind the symptoms - those aches, pains, cuts, rashes, injuries, illnesses and diseases? Job-related hazards cause workplace health and safety symptoms. Step 2 - **What makes it hurt?** in Part E identifies hazards found in workplaces and goes into more details about the six categories.

Step 3 - **How do you find symptoms and hazards?** Part F explains the detective work or surveillance needed. There is a variety of useful tools and materials to do the surveillance at your workplace to link symptoms and

**Symptom(s)** - the injuries, illnesses, diseases or deaths that are caused by hazards at work. Different types of symptoms may be linked to different kinds of hazards.

hazards. Since the goal is to prevent symptoms and hazards, we emphasize getting the full picture, looking for the root cause(s), and practical approaches to dealing with them.

Once the hazards are identified, the law expects committees to make recommendations to their employers about preventing or dealing with the problems. Step four - **What fixes the hazards?** is in Part G. What principles should guide the committee, and your employer? This part explains these ideas and presents more details about the prevention triangle.


Knowing the solution isn't enough for committees or others in your workplace. Step 5 - **How do you get the "fixes" you need?** is found in Part H. It is all about making the case for short and long-term solutions. Part B will get you started, while Part H provides some details about what helps committees be effective, make decisions and recommendations and carry out their responsibilities.

## Workers' rights

Like other places in Canada, Manitoba workers have the right to a healthy and safe workplace in general, and four more specific rights. They are:

- **the right to know** about hazards and how to deal with them
- **the right to participate**, usually through a workplace safety and health committee or as a representative
- **the right to refuse** work the person thinks is unhealthy or unsafe for him or her or another person
- **the right of no discrimination** for health and safety activities or asking questions or complaining about a health and safety issue.

The Using the law Toolbox has a chart, *Worker rights - Employer duties* (L.1). It connects employers' duties and workers' rights, based on the Act. (Remember that most supervisors are also workers.) The regulations have more specific details.

	<b>COMMITTEE ACTIVITY</b>
<p>Use the <i>Five steps to a healthy and safe workplace</i> (SH.1). Brainstorm all the activities in which committee members are involved.</p> <p><i>Where do they fit in the Five steps?</i></p> <p>For more detailed evaluations, see the committee effectiveness checklists in CP.21 A and B.</p>	

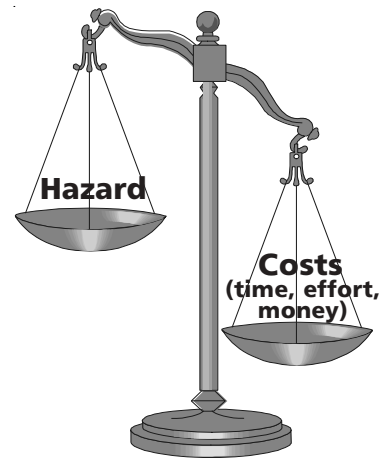
## **Legal responsibilities**

The tables on the next pages list some of the legal requirements for employers, workers, supervisors and other players in workplace safety and health. They are basic overviews. For the complete version, consult the original documents, available on-line at <http://www.gov.mb.ca/labour/safety/actregnew.html> or contact the Workplace Safety and Health Division office nearest you. (The *Resource Guide* has details.)

One concept in our safety and health law includes the term ***reasonably practicable***.

This term means that the employer must weigh the costs in time, money and effort of fixing or preventing problems and the effects of doing little or nothing. It's **not** an even balancing of costs and hazards. Hazards must be fixed or dealt with, unless there is "a gross disproportion" (i.e. a great imbalance) between the cost of solutions and doing nothing about the hazard. The more serious the hazard, the more that it is "reasonably practicable" to fix it.

This term has not been included in the lists to keep the tables short and concise.





## Summary of the law about responsibilities

Who?	What are they supposed to do?	WSH Act	WSH Regulation
<b>Employer</b>	ensure the health, safety & welfare of all their workers	4(1)	
	maintain the workplace, equipment, system & tools so they are not hazardous	4(2)(a)	
	provide information, instruction, training, and supervision	4(2)(b)	
<b>Supervisor</b>	protect the safety & health of those they supervise	4.1(a)(i)	
	ensure workers do their job according to the law	4.1(a)(ii)	
<b>Worker</b>	protect themselves & others	5(a)	
	use/wear protective equipment provided or required	5(b)	
<b>Workplace safety &amp; health committee/ Representative</b>	deal with safety & health concerns/complaints	40(10)(a)	
	participate in identifying hazards	40(10)(b)	
	develop measures to protect safety, health & welfare	40(10)(c)	
	co-operate with workplace occupational health service	40(10)(d)	
	develop/promote education & information programs	40(10)(f)	
	make recommendations to employer about health & safety	40(10)(g)	
	inspect the workplace regularly	40(10)(h)	
	investigate workplace injuries & dangerous occurrences	40(10)(i)	
keep records about concerns/ complaints & other matters	40(10)(j)		

The authors' wording presented above does not replace the Province of Manitoba's legislated Act and Regulations. The official versions can be found on-line at <http://www.gov.mb.ca/labour/safety/actregnew.html> or by contacting the Manitoba Workplace Safety and Health Division office.

Who?	What are they supposed to do?	WSH Act	WSH Regulation
<b>Safety &amp; health officer/Inspector</b>	<p>can enter any workplace</p> <p>determine the cause of injuries and ill health</p> <p>measure, photograph, test, record, sample, and seize articles or substances</p> <p>examine documents, books, records on safety &amp; health</p>	<p>24(1)(a) &amp; (b)</p> <p>24(1)(d)</p> <p>24(1)(e) - (h)</p> <p>24(1)(i)</p>	
<b>Unions</b>	choose workers for the committee or representatives	41(2)	

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