VirtuOHS

FRONT

BC QUICK REFERENCE · ROLES AND RESPONSIBILITIES

Employer

YOUR ROLE

You set the direction. You provide the people, training, equipment and systems that let everyone work safely, and you make sure the program is followed.

What you are responsible for

WCA s. 21

- Ensure the health and safety of your workers and others at your workplace
- Remedy any hazardous workplace conditions
- Make sure workers know about all known or reasonably foreseeable hazards they may be exposed to
- Provide and maintain protective equipment, devices and clothing, and make sure they are used
- Provide the information, instruction, training and supervision workers need, and support supervisors in their health and safety duties
- Give young and new workers a workplace-specific orientation before they start, and keep records (OHSR 3.22 to 3.25)
- Set up a health and safety program: a formal program if you employ 20 or more workers with moderate or high risk, or 50 or more; otherwise, monthly meetings with workers, with records kept. A WorkSafeBC officer can also require a formal program (OHSR 3.1 to 3.3)
- Inspect the workplace, equipment and work practices regularly (OHSR 3.5)
- Make the Act and Regulation available to workers, and post where to find them
- Set up and support a Joint Health and Safety Committee (20 or more workers) or a Worker Health and Safety Representative (10 to 19 workers)
- Respond in writing within 21 days to written recommendations from the committee (s. 39)

Westray Act

Criminal Code s. 217.1

The Criminal Code places a legal duty on anyone who directs how work is done to take reasonable steps to prevent bodily harm to workers and others. Where that duty is not met and someone is seriously hurt or killed, organizations and individuals can face **criminal charges**, separate from WorkSafeBC penalties. Named for the 1992 Westray Mine explosion in Nova Scotia, where 26 miners died.

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BC QUICK REFERENCE · ROLES AND RESPONSIBILITIES

Employer

Violence, bullying and harassment

OHSR 4.27 to 4.31 · P2-21-2

- Assess the risk of violence and put procedures in place to eliminate or minimize it
- A written policy that bullying and harassment is not tolerated, with procedures for reporting, investigating and following up
- Train workers and supervisors, and review the policy and procedures every year
- This includes email, messaging and social media

Reporting and investigation

s. 68 to 72

- **Serious incident:** notify WorkSafeBC right away through the Prevention Information Line (serious injury or death, major structural failure, major hazardous substance release, or fire or explosion that could cause serious injury)
- **Investigations:** for incidents that must be investigated, including injuries needing medical treatment and serious near misses, complete the preliminary report within 48 hours (to WorkSafeBC on request) and submit the full report within 30 days unless an extension applies. Share both with the committee or representative
- **Injury reporting:** Form 7 to WorkSafeBC within 3 days when a worker misses time or needs medical care beyond first aid

You must not take prohibited action, such as discipline or threats, against any worker for raising a concern, following the law, or refusing unsafe work (s. 47 to 49). Directors and officers must make sure the corporation complies (s. 27).

Company details

Complete for your workplace

Company name

Health and safety contact

Phone / email

Where our policies and the Act are available

Committee or Representative contact

Last reviewed

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BC QUICK REFERENCE · ROLES AND RESPONSIBILITIES

Supervisor

YOUR ROLE

You are the link between the plan and the work. You know the hazards in your area, you make sure your team has what they need, and you are the first person a worker comes to.

What you are responsible for

WCA s. 23

- Ensure the health and safety of all workers under your direct supervision
- Know the parts of the Act and OHS Regulation that apply to the work you supervise
- Make sure your workers know about all known or reasonably foreseeable hazards where they work
- Make sure your workers follow the Act, the Regulation, company procedures and any WorkSafeBC orders
- Make sure your workers use the protective equipment, devices and clothing required
- Investigate unsafe conditions reported to you and make sure they are corrected without delay (OHSR 3.10)
- Consult and cooperate with the committee or representative, and cooperate with WorkSafeBC officers

Who counts as a supervisor

OHSR 1.1

- Anyone who instructs, directs and controls workers in the performance of their duties
- Your job title does not decide this. If you direct the work, the duties apply to you

Westray Act

Criminal Code s. 217.1

Because you direct how work is done, you have a personal legal duty to take reasonable steps to prevent bodily harm. Where that duty is not met and someone is seriously hurt or killed, you can be **charged as an individual** under the Criminal Code. Whether a charge leads to a conviction depends on the offence and the evidence.

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BC QUICK REFERENCE · ROLES AND RESPONSIBILITIES

Supervisor

In practice

- Respond to hazard reports and follow up with the worker
- Take part in work refusal investigations
- Investigate incidents and near misses in your area, and share what was learned
- Make sure young and new workers on your team get their orientation before they start
- Support workers through return to work and accommodations
- Lead by example. How you work is what your team learns

You must not take prohibited action against any worker for raising a concern, following the law, or refusing unsafe work (s. 47 to 49). You must also not engage in bullying and harassment, and must apply your employer's policies and procedures (P2-23-2).

Company details

Complete for your workplace

Company name

My manager / escalation contact

Health and safety contact

How hazards and incidents are reported here

Committee or Representative contact

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BC QUICK REFERENCE · ROLES AND RESPONSIBILITIES

Worker

YOUR ROLE

You know your work better than anyone. You protect yourself and the people around you, and your voice helps make the workplace better.

What you are responsible for

WCA s. 22

- Take reasonable care to protect your own health and safety and that of others affected by your work
- Work in the way the law and company safe work procedures require
- Use or wear the protective equipment, devices and clothing your employer requires
- Report any hazard, contravention or unsafe condition to your supervisor or employer
- Make sure your ability to work safely is not impaired by alcohol, drugs or any other cause
- Do not engage in horseplay or similar conduct that could put yourself or others at risk
- Cooperate with the committee or representative and with WorkSafeBC officers
- Report any work-related injury to first aid and your employer as soon as possible

Your three rights

RIGHT TO

Know

about hazards in your work and how to protect yourself

RIGHT TO

Participate

through the committee or representative, and by raising concerns

RIGHT TO

Refuse

work you believe creates an undue hazard (OHSR 3.12)

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BC QUICK REFERENCE · ROLES AND RESPONSIBILITIES

Worker

How a work refusal works

OHSR 3.12, 3.13

1. Stop and tell your supervisor or employer right away why you believe the work is unsafe
2. They investigate and either fix the problem or explain why they believe the work is safe
3. If you still believe it is unsafe, the investigation is repeated with you and a worker member of the committee, a union representative, or another worker you choose
4. If it is still not resolved, you and your supervisor or employer contact WorkSafeBC, and a prevention officer investigates

You are protected. You can be given other work at no loss in pay while this happens, and your employer cannot take prohibited action against you for using your rights (s. 47 to 49). Bullying and harassment, including online, can be reported using the contacts below.

Company details

Complete for your workplace

Company name

My supervisor

Health and safety contact

How to report a hazard or incident

How to report violence, bullying or harassment

Committee or Representative contact

First aid / emergency contact

WorkSafeBC Prevention Information Line

1-888-621-7233 · 604-276-3100 (Lower Mainland)

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BC QUICK REFERENCE · ROLES AND RESPONSIBILITIES

Joint Health and Safety Committee

and Worker Health and Safety Representative

YOUR ROLE

You bring worker and management perspectives together to find and fix hazards. You advise, recommend and keep the conversation going.

Which one applies

WCA s. 31 to 45

10–19

workers regularly employed

Worker Health and Safety Representative selected by workers (or the union), with the same duties as a committee as far as practical

20+

workers regularly employed

Joint Health and Safety Committee at least 4 members, at least half of them worker members

What you do

s. 36

- Identify situations that may be unsafe or harmful, and recommend ways to deal with them
- Consider and promptly deal with health and safety complaints from workers
- Make recommendations on improving health and safety. The employer responds in writing within 21 days (s. 39)
- Advise on health and safety programs and policies, and monitor how effective they are
- Take part in work refusal investigations (worker member), incident investigations and inspections (OHSR 3.5, 3.28)

Training

OHSR 3.27 · s. 41

- New committee members: at least 8 hours of training within 6 months of joining
- New representatives: at least 4 hours of training within 6 months of starting
- Every year after that, each member and representative is entitled to 8 hours of paid leave to attend approved health and safety training courses

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BC QUICK REFERENCE · ROLES AND RESPONSIBILITIES

Joint Health and Safety Committee

and Worker Health and Safety Representative

How the committee runs

s. 33 to 44

- Meets at least once a month (meetings can be held virtually)
- Two co-chairs: one chosen by worker members and one by employer members
- Sets out written rules of procedure, and keeps a report of each meeting
- Time spent at meetings and on committee work, including preparation, is paid as time worked (s. 40)
- Names of members and recent meeting reports are posted where workers can see them, in print or electronically (s. 44)

Annual evaluation

OHSR 3.26

The committee is evaluated in writing every year: membership, duties, meetings, training, procedures, and how effective it is overall. The evaluation is discussed at the next meeting and recorded in the meeting report.

Company details

Complete for your workplace

Company name

Worker co-chair

Employer co-chair

Committee members

Representative (if applicable)

Meeting schedule

Where meeting reports are posted

How to bring a concern to the committee

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