

SUBJECT: HAZARDOUS CONDITIONS OR ACTS

1. Purpose

This policy is intended to ensure that corrective action is applied to remedy hazardous conditions or acts.

2. Scope

Whenever a person observes what appears to be an unsafe or harmful condition or act he/she shall report it as soon as possible to his/her supervisor. An employee or employee of a contractor has the right to refuse work where there is reasonable cause to believe that the work would create an undue hazard to the health or safety of any person. The employee or employee of a contractor is required to report the circumstances immediately to his/her supervisor or employer.

3. Authority

The Risk & Safety Manager is responsible to the Vice-President (Finance & Administration) for the administration of this policy and the development of procedures.

4. Procedures

All persons connected with the University shall report unsafe or harmful conditions or acts to their supervisor to attempt to remedy the condition without delay. The following procedures shall be used (except those which involve a worker exercising their right to refuse work which are provided in Section 6.0):

4.1 First Stage (Direct Resolution)

Where an employee, student or employee of a contractor observes what appears to be an unsafe or harmful condition or act, he/she shall report it as soon as possible to his/her supervisor.

The supervisor shall acknowledge the worker's concern and attempt to remedy or resolve the matter. Employees, students, and employees of contractors are advised to document their concern(s) in writing to their supervisor if they are substantive.

Supervisors are encouraged to utilize department, faculty or program meetings as a forum for discussing health or safety concerns whether it be the focus or element of a meeting.

4.2 Second Stage (Intervention)

4.2.1 Employees & Students

Where a satisfactory resolution is not achieved, an employee, student, or their supervisor shall ensure that the condition is reported to the Risk & Safety Office for investigation or advice.

If the condition is substantive and beyond the scope of resolution within the department or college, the Risk & Safety Office shall report the condition to the Chair of the Joint Health & Safety Committee for the purpose of placing it on the agenda of the next meeting.

The matter shall be placed on the agenda of each successive meeting of the Joint Health & Safety Committee until resolved.

4.2.2 Decision or Recommendation of Committee

A student, employee, supervisor or employee of a contractor involved in reporting a safety or health condition to the Risk & Safety Office or to a Joint Health and Safety Committee member, shall be notified of any decision or recommendation made by the Committee relating to the matter.

4.2.3 Employees of Contractors

An employee of a contractor or his/her appropriate supervisor shall ensure that the condition is reported to a representative of the Industrial Health and Safety Committee established by the contractor, or where there are fewer than twenty employees, reported to the Risk & Safety Office.

The Risk & Safety Office will attempt to resolve the condition in consultation with the appropriate employer.

Students, employees, employees of contractors, the University and its contractors shall cooperate with the Risk & Safety Office and the Joint Health and Safety Committee in correcting hazardous conditions or acts.

4.3 Third Stage (Outside Assistance)

4.3.1 Employees and Students

If the Joint Health and Safety Committee is unable to resolve the condition, they shall request assistance from the Workers' Compensation Board. While it is preferable that all members should agree with the request for assistance, such agreement is not required. The Joint Health and Safety Committee may also recommend assistance from other appropriate consultation services.

4.3.2 Employees of Contractors/Contractors

If Risk & Safety Office or the contractor's Industrial Health and Safety Committee is unable to resolve the condition, assistance shall be requested from the Workers' Compensation Board.

5. Exposure to Imminent Danger

Where emergency action is required to correct a condition which constitutes an immediate threat to employees, students, visitors or employees of contractors, only those qualified and properly instructed employees or employees of contractors will be involved in correcting the unsafe condition or hazard. Every possible effort shall be made to control the hazard while this is being done.

6. Procedures When Worker Exercises Right to Refuse Work

Where an employee or employee of a contractor believes that a hazardous condition exists in their workplace and have refused work, an inspection shall be immediately undertaken by his/her supervisor and

- a) ensure that any unsafe condition is remedied without delay, or
- b) in the opinion of the supervisor, the report is not valid, inform the person who made the report.

If the above fails to resolve the matter and the employee or employee of a contractor continues to refuse to carry out a work process, their supervisor or employer shall investigate the matter in the presence of the employee or employee of a contractor who made the report and in the presence of:

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- a) a worker representative of the Joint Health & Safety Committee or of the contractor's Industrial Health and Safety Committee; or
 - b) an employee or employee of a contractor selected by the trade union representing the worker; or
 - c) any other worker (where the contractor has no Industrial Health & Safety Committee or the employee is not represented by a trade union).

If this fails to resolve the matter, the employee or employee of a contractor shall notify an officer of the Workers' Compensation Board.