



Treasury Board of Canada  
Secretariat

Secrétariat du Conseil du Trésor  
du Canada

Canada

# Policy on Occupational Safety and Health

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# Policy on Occupational Safety and Health

## Disclaimer

This policy has been designated by the Treasury Board as a key policy for the management of human resources.

## Policy objective

- To promote a safe and healthy workplace for Public Service employees.
- To reduce the incidence of occupational injuries and illnesses.

## Policy statement

It is the policy of the government to provide employees with a safe and healthful working environment and with occupational health services as defined in this policy.

## Application

This policy applies to departments and agencies listed in Schedule I, Part I of *the Public Service Staff Relations Act*.

## Policy requirements

1. Departments must:
  - implement the requirements of the Canada Labour Code, Part II, and its regulations and comply with authorized Human Resources Development Canada - Labour Program directions;
  - establish and maintain effective occupational safety and health (OSH) programs consistent with Treasury Board policies, standards and procedures;
  - comply with Health Canada directives on the occupational safety and health of employees;
  - assign departmental OSH personnel according to the size, complexity and operating risks of the department;
  - post at a place or places accessible to all employees the documents listed in appendix B;
  - provide OSH training and information to employees; and
  - provide employee assistance services.
2. Health Canada, under delegation from Treasury Board, must:
  - administer the Public Service Health Program as described in the attached appendix A; and
  - through on-site investigations, monitor departmental compliance with legal standards (Treasury Board OSH standards and regulations pursuant to Part II of the Canada Labour Code), promote their full implementation and, in accordance with Treasury Board procedures, direct corrective action if necessary.

### Notes

All professional Public Service occupational health personnel associated with this program will be under the direct control of Health Canada.

Public Service Health Program staff cannot be required to disclose medical information on employees and must observe strict professional ethics on confidentiality.

3. Employees must:
  - learn and follow the OSH provisions of the workplace;
  - use the OSH equipment and devices provided;
  - take reasonable precautions to protect themselves and other employees;
  - comply with authorized OSH instructions; and
  - report all accidents and hazards.

## Monitoring

The Treasury Board Secretariat will monitor departmental performance by:

- analyzing information contained in Human Resources Development Canada - Labour Program and Health Canada statistical reports, Annual Management Reports and Multi-Year Human Resource Plans;
- reviewing internal and external audits and evaluations on the application of the policy;
- reviewing overall departmental application of the policy or particular elements of it, on a periodic basis.

Performance assessment will be based on:

- the frequency and severity of occupational injuries and illnesses;
- the existence and use of systems and processes to review and analyze the frequency and severity of occupational injuries and illnesses;

- the allocation of sufficient resources;
- the quality and extent of training and information activities in occupational safety and health.

## References

Canada Labour Code, Part II and its regulations:

- Canada Occupational Safety and Health Regulations;
- Marine Occupational Safety and Health Regulations;
- Aviation Safety and Health Regulations;
- On-Board Trains Safety and Health Regulations;
- Safety and Health Committee and Representatives Regulations.

All other documents of this handbook contain relevant information.

## Enquiries

Enquiries about this policy should be directed to the responsible officers in departmental headquarters who, in turn, may seek interpretations from:

*Safety, Health, Employee Benefits and Services Group  
Human Resources Management Division  
Human Resources Branch  
Treasury Board Secretariat*

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## Appendix A - Definitions and roles

### employer (*employeur*)

Under the Canada Labour Code (CLC), Part II, this term means a person who employs one or more employees and includes an employers' organization and any person who acts on behalf of an employer. In the Public Service context the term includes an agency acting on behalf of the Treasury Board, a department or any person who acts in a supervisory or managerial capacity on behalf of a department.

Treasury Board Occupational Safety and Health (OSH) standards (Normes de sécurité et de santé au travail du Conseil du Trésor)

The expression is self-explanatory. However, it should be noted that most of these standards are:

- based on the CLC Part II regulations;
- consulted upon in the National Joint Council and, therefore, have the force of collective agreements.

Since Treasury Board OSH standards and regulations pursuant to Part II of the Canada Labour Code are legal requirements, in the case of differences the most stringent requirement is the operative one.

### **The Public Service Health Program** (*Le Programme de santé des fonctionnaires fédéraux*)

This program is administered by Health Canada under delegation from the Treasury Board. The Public Service Health Program is a corporate resource and should be used by departments accordingly. Its services are essentially preventative and they should not interfere with or replace those available through private physicians and community health agencies.

The program deals with:

- health assessments of employees and emergency medical services;
- environmental health investigations and surveys;
- occupational health nursing services in departments;
- advice to the Treasury Board on occupational safety and health matters, including advice on the development and monitoring of occupational and environmental standards, procedures and other directives for the prevention of occupational illness and injury; and on the provision of occupational health services within the Public Service;
- advice to departments and managers on occupational safety and health training; first aid training, facilities, services and supplies; the selection and use of personal protective equipment and clothing; the adaptation and selection of work; and the rehabilitation and retraining of employees disabled by work injuries or illnesses;
- health advice and education for employees, as well as on-the-job medical care with the cooperation and consent of the employee's private physician;
- employee assistance services, as specified in the Public Service Employee Assistance Program Directive;
- research and special studies.

### **Human Resources Development Canada - Labour Program as regulator** (*Développement des ressources humaines Canada - Programme du Travail, organisme de réglementation*)

The Public Service became subject to CLC Part II (Part IV as it was then known) on March 31, 1986, by an amendment to the

*Financial Administration Act*. Prior to that, Human Resources Development Canada - Labour Program provided certain OSH services to departments as a corporate resource.

Human Resources Development Canada - Labour Program is now (as it always has been for other employers under the federal jurisdiction) the regulator for the Public Service on OSH matters. Its responsibility is to monitor and enforce the CLC Part II. With this in mind, it is instructive to read in the CLC Part II the duties assigned to employers and the penalties for contraventions.

To carry out its role, Human Resources Development Canada - Labour Program has designated safety officers and regional safety officers. Their duties include inspections, accident and refusal-to-work investigations and the stipulation of corrective measures.

It should be noted that Human Resources Development Canada - Labour Program has also appointed officials from:

- Transport Canada's Civil Aviation Directorate, to act as safety officers and regional safety officers in the administration of CLC Part II and the Aviation Occupational Safety and Health Regulations (for public servants employed in aircraft in operation);
- Transport Canada's Marine Safety Directorate, to act as safety officers and regional safety officers in the administration of CLC Part II and the Marine Occupational Safety and Health Regulations (for public servants working on ships registered in Canada, or in the loading and unloading of ships).
- Transport Canada's Rail Safety Directorate, to act as safety officers and regional safety officers in the administration of CLC Part II and the On-Board Trains Occupational Safety and Health Regulations (for public servants working on board trains while in operation).

## **Appendix B - Posting of documents and information**

Following is a list of the items that must be posted according to policy requirements:

- a copy of the Canada Labour Code, Part II;
- any printed notices or other material prescribed by Human Resources Development Canada - Labour Program or the Treasury Board Secretariat;
- a copy of a general policy statement worded this way:

"A high priority in the Public Service of Canada is providing working conditions conducive to the safety and health of employees.

"This department is committed to promoting occupational safety and health and provides programs in both occupational safety and health and employee assistance. It also provides training and information in these areas to all employees.

"Please see your supervisor if you need more information."