

**VBN Paving Limited**  
**HEALTH AND SAFETY MANUAL**

**ELEMENT 13: LEGISLATION**

**REVISIONS & APPROVAL**

Revision Date	Revised By	Revision Details
July 27, 2019	Stephen Thorne Health and Safety Manager	Reviewed and Updated.

Date	Approved by	Signature
March 12, 2018	Giovanni Ventrella President	
July 27, 2019	Angelo Ventrella Vice-President	

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## HEALTH AND SAFETY MANUAL

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### PURPOSE

- Outlines VBN Paving Limited commitment to meet compliance with all applicable Occupational Health & Safety Act & Regulations when planning and executing all work.
- To ensure that all VBN Paving Limited employees are aware & have been trained with regard to the Occupational Health & Safety Act and Regulations; and their individual roles & responsibilities in the workplace.

### SCOPE

Procedures will include:

- Education through means of training on roles and responsibilities for VBN Paving Limited related to legislative requirements.

### ELEMENT GOALS

- Identify relevant legislative requirements pertaining to the work that is being performed by VBN Paving Limited employees on construction job sites.
- Communicate and provide training on rights and responsibilities of various workplace parties with respect to health and safety in the workplace.
- Advise workers where to find workplace health and safety legislation if needed.
- Review Procedure on an annual basis.
- Consider, during the job planning process, health and safety legislation (all acts and regulations that apply).
- Ensuring copies of relevant legislation are readily available at each project as required.

## Roles and Responsibilities

### SENIOR MANAGEMENT RESPONSIBILITIES

- Perform a Construction Hazard Assessment “CHA” and evaluate the applicable legislative requirements to the job site.
- Ensure CHA is completed as aligned with Element 2 procedure for identifying and controlling occupational health hazards.
- Effectively initiate and monitor site-specific controls as determined by CHA by means of documentation of inspection.
- Provide adequate training to relevant workplace parties pertaining to applicable legislative requirements, roles and responsibilities.
- Appoint a competent supervisor utilizing Supervisor Designation Form.
- Provide required legislative training to the Supervisor.
- Outline Action Plan related to Element 13, where deficiencies are identified.

Comply with all duties under OHSA:

- An employer shall ensure that:
  - o (a) the equipment, materials and protective devices as prescribed are provided;
  - o (b) the equipment, materials and protective devices provided by the employer are maintained in good condition;

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- (c) the measures and procedures prescribed are carried out in the workplace;
  - (d) the equipment, materials and protective devices provided by the employer are used as prescribed; and
  - (e) a building, structure, or any part thereof, or any other part of a workplace, whether temporary or permanent, is capable of supporting any loads that may be applied to it,
    - (i) as determined by the applicable design requirements established under the version of the Building Code that was in force at the time of its construction,
    - (ii) in accordance with such other requirements as may be prescribed, or
    - (iii) in accordance with good engineering practice, if sub clauses (i) and (ii) do not apply. R.S.O. 1990, c.1, s. 25 (1); 2011, c. 11, s. 9.
- In addition, an employer shall:
- provide information, instruction and supervision to a worker to protect the health or safety of the worker;
  - (b) in a medical emergency for the purpose of diagnosis or treatment, provide, upon request, information in the possession of the employer, including confidential business information, to a legally qualified medical practitioner and to such other persons as may be prescribed;
  - (c) when appointing a supervisor, appoint a competent person;
  - (d) acquaint a worker or a person in authority over a worker with any hazard in the work and in the handling, storage, use, disposal and transport of any article, device, equipment or a biological, chemical or physical agent;
  - (e) afford assistance and co-operation to a committee and a health and safety representative in the carrying out by the committee and the health and safety representative of any of their functions;
  - (f) only employ in or about a workplace a person over such age as may be prescribed;
  - (g) not knowingly permit a person who is under such age as may be prescribed to be in or about a workplace;
  - (h) take every precaution reasonable in the circumstances for the protection of a worker;
  - post, in the workplace, a copy of this Act and any explanatory material prepared by the Ministry, both in English and the majority language of the workplace, outlining the rights, responsibilities and duties of workers;
  - (j) prepare and review at least annually a written occupational health and safety policy and develop and maintain a program to implement that policy;
  - (k) post at a conspicuous location in the workplace a copy of the occupational health and safety policy;
  - (l) provide to the committee or to a health and safety representative the results of a report respecting occupational health and safety that is in the employer's possession and, if that report is in writing, a copy of the portions of the report that concern occupational health and safety; and
  - (m) advise workers of the results of a report referred to in clause (i) and, if the report is in writing, make available to them on request copies of the portions of the report that concern occupational health and safety. R.S.O. 1990, c. O.1, s. 25 (2).

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### SUPERVISOR RESPONSIBILITIES

- Conduct the required CHAs and identify work tasks and associated hazards.
- Advise workers of identified hazards and advise them on how to mitigate risks and work in a safe manner.
- Comply with all duties under OHSA:
  - A supervisor shall ensure that a worker:
    - works in the manner and with the protective devices, measures and procedures required by this Act and the regulations; and
    - uses or wears the equipment, protective devices or clothing that the worker's employer requires to be used or worn.
  - The supervisor shall also:
    - advise a worker of the existence of any potential or actual danger to the health or safety of the worker of which the supervisor is aware;
    - where so prescribed, provide a worker with written instructions as to the measures and procedures to be taken for protection of the worker; and
    - take every precaution reasonable in the circumstances for the protection of a worker. R.S.O. 1990, c. O.1, s. 27.
- When absent at a project site, provide assignment of another designated supervisor.

### WORKER RESPONSIBILITIES

- Demonstrate awareness, understanding and acknowledgement of worker rights and responsibilities under the occupational health and safety act.
- Participation in all employer mandated training.
- Active participation and adhesion to employer outlined legislative requirements.
- Comply with all duties under Occupational Health & Safety Act:
  - A Worker shall;
    - work in compliance with the provisions of the Occupational Health & Safety Act and the relevant regulations;
    - use or wear the equipment, protective devices or clothing that the worker's employer requires to be used or worn;
    - report to his or her employer or supervisor the absence of or defect in any equipment or protective device of which the worker is aware and which may endanger himself, herself or another worker; and
    - report to his or her employer or supervisor any contravention of this Act or the regulations or the existence of any hazard of which he or she knows.
  - No Worker shall;
    - remove or make ineffective any protective device required by the regulations or by his or her employer, without providing an adequate temporary protective device and when the need for removing or making

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ineffective the protective device has ceased, the protective device shall be replaced immediately;

- use or operate any equipment, machine, device or thing or work in a manner that may endanger himself, herself or any other worker; or
- engage in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct.

### PROCEDURE

- Ensure to identify legislation during Construction Hazard Analysis.
- During planning stages and routine work tasks, the supervisor should consider to review applicable legislation.
- Supervisor Rights
  - Ontario's Occupational Health and Safety Act (OHSA) defines a supervisor as anyone who "has charge of a workplace or authority over a worker."
  - Knowledge, information and training are required to meet legislative requirements for competency.
  - Annual performance reviews will be conducted by Senior Management to review health and safety due diligence.
  - Progressive disciplinary measures will be issued to workers not meeting legislative or company standards.
  - When the absence of a supervisor occurs, use of the Supervisor Designation form will be required and posted.
- Worker Rights
  - Under the Occupational Health and Safety Act all workers have three (3) rights in the workplace regarding health and safety:
    - 1) The right to PARTICIPATE
    - 2) The right to KNOW
    - 3) The right to REFUSE UNSAFE WORK
  - Use of an acceptable program for training and educating based on the training needs scheduled timetable.
- Project Start Up Checklist
  - Use of the checklist will identify the legislative items that are available.
- Annual review of the Procedure to identify any changes to VBN Paving Limited Occupational Health and Safety System; Revision Page will reflect the review and any updates.

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### APPLICABLE LEGISLATION

Occupational Health and Safety Act (2011)

<b>O. Reg. 381/15</b>	<a href="#"><u>NOISE</u></a>
<b>O. Reg. 297/13</b>	<a href="#"><u>OCCUPATIONAL HEALTH AND SAFETY AWARENESS AND TRAINING</u></a>
<b>O. Reg. 33/12</b>	<a href="#"><u>OFFICES OF THE WORKER AND EMPLOYER ADVISERS</u></a>
<b>O. Reg. 490/09</b>	<a href="#"><u>DESIGNATED SUBSTANCES</u></a>
<b>O. Reg. 632/05</b>	<a href="#"><u>CONFINED SPACES</u></a>
<b>O. Reg. 278/05</b>	<a href="#"><u>DESIGNATED SUBSTANCE - ASBESTOS ON CONSTRUCTION PROJECTS AND IN BUILDINGS AND REPAIR OPERATIONS</u></a>
<b>O. Reg. 385/96</b>	<a href="#"><u>JOINT HEALTH AND SAFETY COMMITTEES - EXEMPTION FROM REQUIREMENTS</u></a>
<b>O. Reg. 243/95</b>	<a href="#"><u>CRITERIA TO BE USED AND OTHER MATTERS TO BE CONSIDERED BY THE BOARD UNDER SUBSECTION 46 (6) OF ACT</u></a>
<b>O. Reg. 213/91</b>	<a href="#"><u>CONSTRUCTION PROJECTS</u></a>
<b>R.R.O. 1990, Reg. 861</b>	<a href="#"><u>X-RAY SAFETY</u></a>
<b>R.R.O. 1990, Reg. 860</b>	<a href="#"><u>WORKPLACE HAZARDOUS MATERIALS INFORMATION SYSTEM (WHMIS)</u></a>
<b>R.R.O. 1990, Reg. 859</b>	<a href="#"><u>WINDOW CLEANING</u></a>
<b>R.R.O. 1990, Reg. 856</b>	<a href="#"><u>ROLL-OVER PROTECTIVE STRUCTURES</u></a>
<b>R.R.O. 1990, Reg. 852</b>	<a href="#"><u>INVENTORY OF AGENTS OR COMBINATIONS OF AGENTS FOR THE PURPOSE OF SECTION 34 OF THE ACT</u></a>
<b>R.R.O. 1990, Reg. 851</b>	<a href="#"><u>INDUSTRIAL ESTABLISHMENTS</u></a>
<b>R.R.O. 1990, Reg. 834</b>	<a href="#"><u>CRITICAL INJURY - DEFINED</u></a>
<b>R.R.O. 1990, Reg. 833</b>	<a href="#"><u>CONTROL OF EXPOSURE TO BIOLOGICAL OR CHEMICAL AGENTS</u></a>

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Workplace Safety and Insurance Act, 1997, S.O. 1997, c. 16, Sched. A

<b>O. Reg. 47/09</b>	<a href="#"><u>CONSTRUCTION SECTOR - EXEMPTIONS (PARTNERS AND EXECUTIVE OFFICERS)</u></a>
<b>O. Reg. 35/08</b>	<a href="#"><u>RETURN TO WORK AND RE-EMPLOYMENT - CONSTRUCTION INDUSTRY</u></a>
<b>O. Reg. 562/99</b>	<a href="#"><u>BENEFIT FOR LOSS OF RETIREMENT INCOME</u></a>
<b>O. Reg. 175/98</b>	<a href="#"><u>GENERAL</u></a>
<b>O. Reg. 456/97</b>	<a href="#"><u>FUNCTIONAL ABILITIES FORM</u></a>
<b>R.R.O. 1990, Reg. 1101</b>	<a href="#"><u>FIRST AID REQUIREMENTS</u></a>

Highway Traffic Act, R.S.O. 1990, c. H.8

<b>O. Reg. 419/15</b>	<a href="#"><u>DEFINITIONS OF COMMERCIAL MOTOR VEHICLE AND TOW TRUCK</u></a>
<b>O. Reg. 402/15</b>	<a href="#"><u>PEDESTRIAN CROSSOVER SIGNS</u></a>
<b>O. Reg. 366/09</b>	<a href="#"><u>DISPLAY SCREENS AND HAND-HELD DEVICES</u></a>
<b>O. Reg. 455/07</b>	<a href="#"><u>RACES, CONTESTS AND STUNTS</u></a>

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<b>O. Reg. 273/07</b>	<a href="#"><u>ADMINISTRATIVE PENALTIES</u></a>
<b>O. Reg. 199/07</b>	<a href="#"><u>COMMERCIAL MOTOR VEHICLE INSPECTIONS</u></a>
<b>O. Reg. 34/06</b>	<a href="#"><u>PRE-EMPTYING TRAFFIC CONTROL SIGNAL DEVICES</u></a>
<b>O. Reg. 643/05</b>	<a href="#"><u>CARRIAGE OF GOODS</u></a>
<b>O. Reg. 620/05</b>	<a href="#"><u>HIGH OCCUPANCY VEHICLE LANES</u></a>
<b>O. Reg. 413/05</b>	<a href="#"><u>VEHICLE WEIGHTS AND DIMENSIONS - FOR SAFE, PRODUCTIVE AND INFRASTRUCTURE-FRIENDLY VEHICLES</u></a>
<b>O. Reg. 363/04</b>	<a href="#"><u>SECURITY OF LOADS</u></a>
<b>O. Reg. 11/04</b>	<a href="#"><u>INTERNATIONAL REGISTRATION PLAN</u></a>
<b>O. Reg. 424/97</b>	<a href="#"><u>COMMERCIAL MOTOR VEHICLE OPERATORS' INFORMATION</u></a>
<b>R.R.O. 1990, Reg. 624</b>	<a href="#"><u>STOP SIGNS IN TERRITORY WITHOUT MUNICIPAL ORGANIZATION</u></a>
<b>R.R.O. 1990, Reg. 623</b>	<a href="#"><u>STOP SIGNS AT INTERSECTIONS</u></a>
<b>R.R.O. 1990, Reg. 622</b>	<a href="#"><u>STOPPING OF VEHICLES ON PARTS OF THE KING'S HIGHWAY</u></a>
<b>R.R.O. 1990, Reg. 619</b>	<a href="#"><u>SPEED LIMITS</u></a>
<b>R.R.O. 1990, Reg. 618</b>	<a href="#"><u>SPECIFICATIONS AND STANDARDS FOR TRAILER COUPLINGS</u></a>
<b>R.R.O. 1990, Reg. 616</b>	<a href="#"><u>SLOW MOVING VEHICLE SIGN</u></a>
<b>R.R.O. 1990, Reg. 615</b>	<a href="#"><u>SIGNS</u></a>
<b>R.R.O. 1990, Reg. 611</b>	<a href="#"><u>SAFETY INSPECTIONS</u></a>
<b>R.R.O. 1990, Reg. 610</b>	<a href="#"><u>SAFETY HELMETS</u></a>
<b>R.R.O. 1990, Reg. 608</b>	<a href="#"><u>RESTRICTED USE OF LEFT LANES BY COMMERCIAL MOTOR VEHICLES</u></a>
<b>R.R.O. 1990, Reg. 604</b>	<a href="#"><u>PARKING</u></a>
<b>R.R.O. 1990, Reg. 596</b>	<a href="#"><u>GENERAL</u></a>
<b>R.R.O. 1990, Reg. 587</b>	<a href="#"><u>EQUIPMENT</u></a>
<b>R.R.O. 1990, Reg. 581</b>	<a href="#"><u>ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES</u></a>
<b>R.R.O. 1990, Reg. 579</b>	<a href="#"><u>DESIGNATION OF HIGHWAYS</u></a>
<b>R.R.O. 1990, Reg. 577</b>	<a href="#"><u>COVERING OF LOADS</u></a>

Dangerous Goods Transportation Act, R.S.O. 1990, c. D.1

Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4

<b>O. Reg. 365/13</b>	<a href="#"><u>MANDATORY ASSESSMENT OF COMPLAINTS AND REQUESTS FOR APPROVAL</u></a>
<b>O. Reg. 364/13</b>	<a href="#"><u>MANDATORY INSPECTION - FIRE DRILL IN VULNERABLE OCCUPANCY</u></a>
<b>O. Reg. 425/11</b>	<a href="#"><u>FORMS</u></a>
<b>O. Reg. 213/07</b>	<a href="#"><u>FIRE CODE</u></a>
<b>O. Reg. 407/97</b>	<a href="#"><u>APPOINTMENT OF ARBITRATORS AND CONCILIATION OFFICERS</u></a>

Building Code Act, 1992, S.O. 1992, c. 23

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**O. Reg. 332/12**

[BUILDING CODE](#)

Environmental Protection Act, R.S.O. 1990, c. E.19

**O. Reg. 463/10**

[OZONE DEPLETING SUBSTANCES AND OTHER HALOCARBONS](#)

**O. Reg. 452/09**

[GREENHOUSE GAS EMISSIONS REPORTING](#)

**O. Reg. 224/07**

[SPILL PREVENTION AND CONTINGENCY PLANS](#)

**O. Reg. 222/07**

[ENVIRONMENTAL PENALTIES](#)

**O. Reg. 419/05**

[AIR POLLUTION - LOCAL AIR QUALITY](#)

**O. Reg. 153/04**

[RECORDS OF SITE CONDITION - PART XV.1 OF THE ACT](#)

**O. Reg. 127/01**

[AIRBORNE CONTAMINANT DISCHARGE MONITORING AND REPORTING](#)

**O. Reg. 675/98**

[CLASSIFICATION AND EXEMPTION OF SPILLS AND REPORTING OF DISCHARGES](#)

**R.R.O. 1990, Reg. 342**

[DESIGNATION OF WASTE](#)

**R.R.O. 1990, Reg. 340**

[CONTAINERS](#)

**R.R.O. 1990, Reg. 339**

[CLASSES OF CONTAMINANTS - EXEMPTIONS](#)

**R.R.O. 1990, Reg. 338**

[BOILERS](#)

R.R.O. 1990, Regulation 860. Workplace Hazardous Materials Information System (WHMIS)

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