



984211 Ontario Ltd.

# FIVE LOCATIONS TO SERVE YOU BETTER

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## NIAGARA FALLS

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905-357-1118

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L3C 3W8

905-734-9393

## ST CATHARINES

207 ST PAUL STREET W  
L2S 2E1

905-685-3959

## FORT ERIE

1261 DOMINION RD  
L2A 5C6

905-871-7038

## GRIMSBY

4 LIVINGSTON AVE  
L3M 1K5

905-945-1157

## Roles And Responsibilities Of Workplace Parties

### Employer Health and Safety Responsible

Under the Occupational Health and Safety Act (OHSA), key responsibilities of MP Paradise Pools and Spas include:

1. Providing equipment, materials and protective devices (e.g. guards on machines, safety harnesses, eye wash station, gloves, etc.)
2. Providing equipment, materials and protective devices that are maintained in good condition.
3. Ensuring equipment, materials and protective devices are used properly and in a safe manner.
4. Providing information, instruction and supervision to employees to protect the health and safety of the employee.
5. Appointing competent supervisors. (Competence is based on supervisor's knowledge, training and experience to organize the work and its performance: supervisor is familiar with the OHSA and regulations that apply to the work, and has knowledge of any potential or actual danger to health or safety in the workplace.)
6. Providing (upon request), in a medical emergency, information in the possession of the employer, including confidential business information to a legally qualified medical practitioner, and such other persons as may be required by law.
7. Acquainting an employee or a person in authority over an employee with any hazard in the workplace and in the handling, storage use, disposal and transport of any article, device, equipment or a biological, chemical or physical agent.
8. Affording assistance and co-operation to the joint health and safety committee(JHSC), and a health and safety representative in the carrying out by the committee and the representative of any of their functions.
9. Only employing a worker over the prescribed age.
10. Not knowingly permitting anyone under the prescribed age in or about the workplace.
11. Taking every precaution reasonable in the circumstances for the protection of an employee.
12. Providing to the JHSC 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 portions of the report that concern occupational health and safety. The employer must advise employees of the results of a report and, if the report is in written make available to them on request copies of the portion of the report that concern occupational health and safety.
13. Responding in writing, within 21 days, to any health and safety recommendations submitted by the JHSC or health and representative.
14. Posting a copy of the Occupational Health and Safety Act and pertinent regulations in an accessible workplace location.
15. Posting, reviewing and re-posting annually, a copy of the MP Paradise Pools and Spas health and safety policy in an accessible workplace location.
16. Developing and maintaining a health and safety program to implement MP Paradise Pools and Spas health and safety.

## Roles And Responsibilities Of Workplace Parties

### Supervisor Health And safety Responsibilities

Under the Occupational Health and Safety Act (OHSA), supervisors/managers are required to ensure that:

1. Employees work in the manner and with the protective devices, measure and procedures requires by the OHSA and regulations (e.g. fall-arrest systems, confining hair, jewelry or loose clothing around moving machine parts, etc.)
2. Employees use or wear the equipment, protective devices or clothing that MP Paradise Pools and Spas requires to be used or worn.
3. Employees are advised of the existence of any potential or actual danger to the health or safety of which the supervisor is aware.
4. Employees are provided with written instructions as to the measure and procedures to be taken for their protection.
5. Every precaution reasonable in the circumstances is taken for the protection of an employee.

Other responsibilities include:

- \* Develop and demonstrate a positive “ health and safety” attitude and working climate.
- \* Be interested in and involved with the organization’s health and safety performance.
- \* Uphold safety rules procedures and support enforcement including disciplinary action.
- \* Develop a working relationship with JHSC members/ health and safety representative and support their role.
- \* Make every reasonable attempt to resolve the health and safety concern of employees.
- \* Ensure training of employees in safe work practice and job safety requirements associated with a particular job process and provide written instructions where appropriate.
- \* Correct unsafe acts and unsafe conditions.
- \* Report and investigate all incidents and injuries to employees and guests and any property damage or loss of process.
- \* Ensure that a maintenance program for any equipment and machinery in the workplace is carried out.
- \* Implement emergency plans when necessary and ensure that employees have been properly trained to comply.
- \* Inform superiors of any known occupational health and safety concerns.
- \* Regularly evaluate employee performance and provide periodic feedback with respect to health and safety.

## Roles And Responsibilities Of Workplace Parties

### Worker Health and Safety Responsibilities

Under the Occupational Health and Safety Act (OHSA), worker responsibilities include the following:

1. Working in compliance with the provisions of the OHSA, regulations and internal policies and procedures.
2. Using or wearing the equipment, protection devices or clothing that MP Paradise Pools and Spas requires to be used or worn.
3. Reporting to his/her supervisor the absence of or defect in any equipment or protective device of which the worker is aware and which may endanger him/ herself or another worker.
4. Reporting to his/her supervisor any contravention of the OHSA, regulations, MP Paradise Pools and Spas policies and procedures.
5. Reporting to his/her supervisor the existence of any hazard of which he/she is aware.
6. Not removing or making ineffective any protective device without providing an adequate temporary protective device. Replacing immediately the original protective device when the work is completed.
7. Not using or operating any equipment, machine, device or thing or working in any manner that may endanger him/herself or another worker.
8. Not engaging in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct.

### Other Responsibilities Include:

- \* Know, understand and implement safe work practices and procedures.
- \* Know, understand and employ established rules and procedures for handling materials, equipment and processes (e.g. report unlabelled container, use proper lifting techniques, etc.)
- \* Request replacement for worn out or defective equipment.
- \* Use all safety devices provided, ensuring optimum condition of devices and reporting any defects immediately to a supervisor.
- \* Use equipment and materials only in the manor intended.
- \* Use only equipment which the worker has been trained to operate safely.
- \* Carry out repairs, alterations and processing changers only when authorized.
- \* Report all injuries, incidents and unusual conditions immediately to supervisor.
- \* Inspect work area daily and reporting any hazard immediately to supervisor.

## Responsibilities for the JHSC

### Purpose:

To develop roles and responsibilities for the Joint Health and Safety Committee(JHSC) to ensure compliance under the Occupational Health and Safety Act.

### Responsibility:

1. The employer is responsible for ensuring that a JHSC is established and maintained.
2. The JHSC is responsible for ensuring the proper application of this policy.

### Procedure

#### Composition

1. The JHSC will be composed of a minimum of two members (for 20-49 employees).
2. At least 50% of the members must be non-management workers.
3. The worker member(s) must be selected by the workers.
4. The employer shall select the member(s) representing management.
5. The members will fill this role for a minimum of two years. There will be no maximum.
6. If possible, terms of office will overlap so continuity can be maintained.
7. The names and work location of all JHSC must be posted.
8. At least two members of the JHSC must be certified, one representing the workers and one representing management.

### Meeting and Minutes

1. Committee members must meet every three months.
2. Members are responsible for making arrangements with their supervisor for attendance at the JHSC meetings and for preparation time prior to the meetings.
3. A schedule of JHSC meetings for the year is to be developed, published and posted at the beginning of each calendar year, listing the date, time and location.
4. An agenda is to be developed by the co-chairpersons for each meeting and circulated at least one week in advance of the meeting.
5. Written minutes of the meeting are to be taken, outlining the following:
  - A. Date, time and location of the meeting held
  - B. Names of all the members and other persons present
  - C. Itemized record of all items discussed, and the outcome
    - \* reports presented and by whom
    - \* problems identified
    - \* agreed upon recommendations
    - \* actions to be taken by individual members
    - \* business the committee has agreed to discuss at the next meeting
    - \* responses of management to the committee
    - \* discussion with respect to the above
    - \* date, time and location of the next meeting

## Responsibilities for the JHSC (cont'd)

6. Minutes are to be signed by the co-chairpersons and circulated within a week, with one copy:
  - A. Posted
  - B. Circulated to JHSC members
  - C. Circulated to department managers
  - D. Circulated to the employer

### General Duties for Committee

1. Follow the guidelines outlined in the Occupational Health and Safety Act.
2. Develop, publish and post, at the beginning of each calendar year, a schedule for the monthly health and safety workplace inspections for the year
3. Workplace inspections will be conducted monthly, by trained, appointed members, and all substandard acts and working conditions will be documented.
4. Review all completed Employee Injury/Incident/Property Damage Reports, analyze information and make recommendations to management to reduce recurrences.
5. Designate a committee member to investigate when a person is killed or critically injured.
6. Obtain information regarding:
  - A. Hazardous materials, processes or equipment
  - B. Designated substances and the respective control-program reports workplace testing that is being carried out for health and safety purposes.
7. Provide advice and recommendations to management on health and safety programs in general, as outlined below:
  - A. Recommendations to the management from the joint health and safety committee, for any items not already identified on the Workplace Inspection Report, are to be submitted in writing in the form of the health and safety recommendation with the following information:
    - \* nature of concern with background information and justification
    - \* recommended remedial action, listing suggested solutions and methods of implementation
    - \* date
  - B. The co-chairpersons are responsible for ensuring the written recommendations are received by the employer
  - C. The employer is responsible for the reply to JHSC recommendations
  - D. Management will respond to the recommendations, in writing within 21 days, with:
    - \* timetable for implementation if the employer agrees with the recommendation
    - \* reasons for disagreement if the recommendation is not acceptable
    - \* alternative resolutions and timetable for implementation if the recommendation is not acceptable
8. Encourage fellow employees to work safely and to report hazardous or unsafe conditions immediately to their supervisors.
9. Identify areas of health and safety training for all employees.
10. Be present for, or assist in work refusal investigations
11. Be available to accompany a Ministry of Labour officer on his/her inspection tour of the workplace.

## Responsibilities for the Health and Safety Representative

### Purpose

To develop roles and responsibilities for the health and safety representative to ensure compliance under the Occupational Health and Safety Act (OHSA)

### Responsibility

1. The employer is responsible for ensuring that a health and safety representative is elected and maintained
2. The health and safety representative is responsible for ensuring the proper application of this policy

### Procedure

#### Composition

1. The health and safety representative shall be elected by the workers that he/she represents.
2. The health and safety representative will fill this role for a minimum two-year term of office. There will be no maximum.
3. The name and work location of the health and safety representative must be posted.
4. The health and safety representative shall receive training in order to carry out his/her required duties.

### Meeting and Minutes

1. Meetings of the health and safety representative and the employer will take place as deemed necessary by either or both.
2. Written minutes of the meeting are to be taken, outlining the following:
  - A. Date, time and location of the meeting held
  - B. Names of attendees and other persons present
  - C. Itemized record of all items discussed and the outcome
    - \* reports presented and by whom
    - \* problems identified
    - \* agreed upon recommendations
    - \* actions to be taken by individual members
    - \* discussion with respect to the above
  - D. Minutes are to be signed by the employer and health and safety representative, with one copy:
    - \* posted in the workplace
    - \* maintained on file by both parties

## Responsibilities for the Health and Safety Representative (con'd)

### General Duties of the Health and Safety Representative

1. Follow the guidelines outlined in the Occupational Health and Safety Act
2. Develop, publish and post, at the beginning of each calendar year, a schedule for the monthly health and safety workplace inspections for the year.
3. Workplace inspections will be conducted monthly and all substandard acts and working conditions will be documented.
4. Review all completed Employee Injury/Incident/Property Damage Reports, analyze information and make recommendations to management to reduce recurrences.
5. Complete an investigation when a person is killed or critically injured.
6. Obtain information regarding:
  - A. Hazardous materials, processes or equipment
  - B. Designated substances and the respective control-program reports
  - C. Workplace testing that is being carried out for health and safety purposes
7. Provide advice and recommendations to management on health and safety programs in general, as outlined below:
  - A. Recommendations to management for any items not already identified on the Workplace Inspection Report. Recommendation include:
    - \* nature of concern with background information and justification
    - \* recommended remedial action, listing suggested solutions and methods of implementation
    - \* date
  - B. The health and safety representative is responsible for ensuring the written recommendations are received by the employer
  - C. The employer is responsible for replying to recommendations
  - D. Management will respond to the recommendations, in writing within 21 days with:
    - \* timetable for implementation if the employer agrees with the recommendation
    - \* reasons for disagreement if the recommendation is not acceptable
    - \* alternative resolution(s) with timetable for implementation if the recommendation is not acceptable.
8. Encourage fellow employees to work safely and to report hazardous or unsafe conditions immediately to their supervisor.
9. Identify areas of health and safety and training for all employees.
10. Be present for, or assist in work refusal investigations.
11. Be available to accompany a Ministry of Labour officer on his/her inspection tour of the workplace.