

Get to know the internal responsibility system

Why everyone at the workplace has a role in preventing health and safety incidents.



Any time a health and safety hazard is identified at a workplace, a chain reaction should occur. The person who identified the hazard reports it to their supervisor. The supervisor assesses the risk and reports it to the employer. The employer and supervisor put controls in place to eliminate or reduce the hazard. This series of events may seem like no big deal, but it's representative of the internal responsibility system (IRS), a core part of occupational health and safety in Ontario.

According to the Ministry of Labour, Immigration, Training, and Skills Development (MLITSD), the IRS is “a system, within an organization, where everyone has direct responsibility for health and safety as an essential part of their job.” This is based on the principle that while the Ministry can enforce compliance with health and safety legislation, it's the people at workplaces who are best positioned to make those workplaces safer.

“It's really about creating a culture of care,” says IHSA Health and Safety Consultant Adam Rothwell. “The IRS means that everyone in the company is working to keep people safe, not just because of the law, but because it's the right thing to do.”

When all workplace parties treat health and safety as a daily, ongoing—and evolving—concern, potential issues are identified and resolved internally before they become problems.

Breaking down the internal responsibility system

Though the IRS is not explicitly written into Ontario law, employers, supervisors, and workers must all understand and follow the duties that are assigned to them by sections 25, 27, and 28 of the *Occupational Health and Safety Act* (OHSA) for the system to function properly. For example, employers must have policies and procedures to cover health and safety hazards that may be present at their workplaces. Supervisors must proactively identify and assess those hazards, inform workers of them, and, with the employer, enact appropriate controls. Among other things, workers are responsible for performing their tasks in accordance with the law.

Joint health and safety committees and health and safety representatives also play a role in maintaining a safe environment. They can identify hazards, make recommendations for improvement, and hear worker concerns. And they assess the IRS's effectiveness by conducting workplace inspections and monitoring trends.

However, they are protected from the legal consequences that an employer, supervisor, and/or worker might face in the event of a workplace incident.

The list below outlines some ways that workplace parties contribute to the IRS, based on their legal duties.

Employers must...

- Have a well-defined health and safety policy and a program to implement that policy (if the business employs more than five workers).
- Provide workers with the information, training, and instruction they need to perform their jobs safely.
- Provide and maintain equipment, tools, materials, and protective devices as prescribed.
- Appoint competent supervision.

Supervisors must...

- “Walk the walk” at the workplace by complying with the OHSA and all relevant regulations (and employer procedures) and wearing all appropriate personal protective equipment (PPE).
- Identify hazards and ensure all workers are made aware of them—and how to control them.
- Ensure workers do their jobs safely.
- Respond to any health and safety issues brought to their attention.

Workers must...

- Work safely in compliance with the OHSA and its regulations, as well as all employer policies and procedures.
- Use equipment as prescribed and wear all PPE necessary for safe work.
- Report hazards and unsafe work—and look out for fellow workers.

Employers and supervisors must also “take every precaution reasonable in the circumstances” to ensure worker safety. In the absence of a specific law or regulation (concerning a task or circumstance), employers and supervisors still have a general duty to do what is necessary to keep their employees safe from harm.



Employers and supervisors: take the lead

Compliance with statutory duties is essential to establishing an IRS, but actually embedding it as part of a workplace's culture is about going above and beyond. That starts at the top. Rothwell says one of the best things employers can do is invest in—and emphasize the importance of—training for every employee. Not only does this verify that workers have the necessary knowledge and skills to work safely, it also signals that the employer takes health and safety seriously.

Similarly, employers can show that safety is valued as much as profitability by giving supervisors sufficient resources to perform their oversight role. That can mean updating policies and procedures so they align with the practical realities of the workplace. But it may also be a simple matter of time: "If a supervisor is stretched too thin or feels pressure to deliver a project on too tight a timeline, then that can make it hard for the IRS to work as intended," Rothwell says.

When given their employers' trust, strong supervisors can drive the IRS through confident jobsite leadership. More than just fulfilling OHSa responsibilities (though doing so is of the utmost importance), this kind of leadership can take the form of:

- Spending time with workers, getting to know them, and showing genuine concern for their well-being.
- Being open to worker suggestions with regard to controlling hazards.
- Fostering cooperation between different levels of their company as well as between individuals.
- Enforcing jobsite safety rules fairly and consistently.
- Sharing knowledge—not only of jobsite hazards, but of work practices to improve safety, efficiency, and effectiveness.

The internal responsibility system and worker rights

Workers uphold the IRS largely by doing what they're told to do—by health and safety law, their employer's policies and procedures, and their supervisor's jobsite instructions.

Following the rules, however, has to be an active choice that workers make every day. Individuals need to understand laws, regulations, and best practices in order to know when they're not being followed. They need to choose to do their work the safe way rather than the fastest way. They need to report hazards instead of avoiding them and hoping the next person deals with it.

And they need to know their rights—to **know** about hazards and receive information to help protect themselves; to **participate** in workplace health and safety programs and initiatives; and to **refuse** work they believe is dangerous.

Rothwell adds that workers should always be supported when complying with the OHSa or reporting workplace hazards. Section 50 of the Act specifically ensures that workers cannot be penalized for acting in the interest of their health and safety, no matter if doing so causes an inconvenience for management.

"That comes down to trust as well," Rothwell says. "Workers are able to prioritize safety because they know that they're supported by the law."

In this way, the IRS highlights how health and safety affects—and connects—every level of an organization. The system must be embraced by each person, whether they're labour or management. When all workplace parties commit to training, open communication, and creating a genuine culture of care, it helps to ensure everyone goes home safely at the end of each day. ■

Check out a video on the IRS with IHSA's Adam Rothwell:



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