

# How to Write & Implement an OHS Policy Statement



## What's At Stake

OHS laws of all but 2 jurisdictions (QC and YK) specifically require employers to adopt and implement an OHS policy. While it sounds simple enough, compliance with OHS policy rules poses some significant challenges. Here's what you need to know to overcome them.

## OHS Policy vs. OHS Program

The first thing you need to understand is the difference between an OHS policy and an OHS program. The former is a written statement signed by management expressing the company's commitment to health and safety and describing who's responsible for carrying out various functions of the safety program. The 'OHS program' is the larger system for identifying, assessing and controlling health and safety hazards at the workplace.

## The Inter-Relationship between OHS Policy & Program

You may need to have one or both things at your workplace. In 7 jurisdictions (AB, BC, MB, NT, NU, ON and SK) a policy statement is a part of the OHS program that a workplace must have. In 5 jurisdictions (Fed, NB, NL, NS and PEI), the policy statement exists independently of the OHS program; in other

words, employers are required to have either a policy statement or an OHS program. (To avoid confusion, we'll refer to the OHS policy as the 'policy statement').

## When an OHS Policy Statement Is Required

There are 3 jurisdictions in which an OHS policy statement is mandatory for *all* workplaces (ON, SK and Fed). In the other provinces and territories, the requirement for a policy statement and/or OHS program is based on the number and types of workers employed and where they work, as illustrated by Table 1:

Jurisdiction(s)	OHS Policy Statement Requirements
Federal	All workplaces covered by COHS Regs. must have OHS policy statement
Alberta	All employers that regularly employ 20 or more workers must establish OHS program that includes an OHS policy statement
BC	<p>Must be established as part of an OHS program by:</p> <p>*Each employer that has BOTH:</p> <ul style="list-style-type: none"> <li>&gt; A workforce of 20 or more workers; and</li> <li>&gt; At least 1 workplace determined to create a moderate or high risk of injury</li> </ul> <p>OR</p> <p>*Each employer that has a workforce of 50 or more workers</p>
Manitoba	Employer must establish OHS program that includes an OHS policy statement at each workplace where it regularly employs 20 or more workers
New Brunswick	All employers that regularly employ 20 or more employees in New Brunswick must have OHS policy statement

Newfoundland	All employers that have less than 10 workers must establish OHS policy statement (10 or more workers requires an OHS program instead)
Nova Scotia	All employers that have 20 or more workers at the work site must establish OHS program that includes an OHS policy statement
Ontario	All workplaces covered by OHS Act must have OHS policy statement
Prince Edward Island	All workplaces where employer regularly employs 5 or more workers must establish OHS policy statement
Saskatchewan	All workplaces covered by OHS Act must have OHS program that includes an OHS policy statement
NWT/Nunavut	All employers that have 20 or more workers at the work site must establish OHS program that includes an OHS policy statement

**Note:** Although not specifically required, having an OHS policy statement is recommended as a best practice in Qu bec and Yukon.

## 10 Steps for Compliance

As OHS coordinator, you're likely to play a major role in writing your company's OHS policy. There are 10 things you must do to complete your mission:

### 1. Consult the Right People

Most jurisdictions specifically require the employer to create and review the OHS policy statement in consultation with the workplace joint health and safety committee (JHSC); in New Brunswick, employers must consult employees directly; and in Newfoundland, the employer must consult the workplace health

and safety representative (HSR).

## 2. Put Policy Statement in Writing

An OHS policy statement must be in writing. Oral and informal policies aren't enough.

## 3. Use Clear Language

The OHS policy must be in clear language. **Best Practices:** Gear the policy to an eighth-grade reading level, keep words and sentences short and avoid jargon.

BAD	GOOD
Legislative health and safety requirements	Health and safety laws
Prior to	Before
Comply/adhere to safety requirements	Obey safety rules
To the extent that	If
In order to	To
Encourage and promote the participation of workers	Get workers involved
Conduct inspections	Inspect
Review on a regular basis	Regularly review
Integrate good occupational safety practices into all their daily activities	Act safely at work and away from the workplace

## 4. Express Management Commitment

Most jurisdictions specifically require the OHS policy statement to express management's commitment to making the company a safe and healthy place to work and its promise to work with workers and the JHSC to achieve that goal.

## 5. List Health + Safety Responsibilities

The OHS policy statement must spell out the safety-related responsibilities of various workplace stakeholders, including the employer, supervisors and workers. **Best Practice:** Also list the safety duties of the safety director, other managers, contractors and visitors.

## 6. Include the Right Information

The OHS policy statement must list the company's commitment to protect workers' health and safety, as well as:

- A description of the OHS roles and responsibilities of employers, supervisors and workers (required in BC, MB, NB, NL, NS and PEI); and
- The employer's commitment to cooperate with workers and/or the JHSC and HSR in achieving health and safety (NL, NS and PEI).

**Best Practices:** Other information that's advisable to list in the OHS policy statement include:

- The company's OHS objectives (mandatory in SK)
- The company's intention to treat OHS requirements as a minimum standard;
- The company's commitment to provide the resources necessary to ensure effective implementation of the policy and monitor its effectiveness;
- How different persons with safety responsibilities will be held accountable;
- A statement that substandard health and safety performance won't be tolerated (mandatory in SK);
- Who's responsible for safety in each area of the facility; and
- Who will review the policy and how often.

## 7. Get OHS Policy Statement Signed

The OHS policy statement must be signed and dated by a high

management official:

- In AB, government guidelines clarify that the official should be the 'CEO or senior operations manager';
- In NL, it must be the 'employer or person responsible for management of the employer's operations in the province';
- NT, NU and ON government guidelines require a 'top' or 'senior' manager; and
- The other jurisdictions don't specify who must sign the OHS policy.

## **8. Communicate Policy**

You must clearly communicate the OHS policy statement. MB, NL, NS and SK say the policy must be posted in a prominent place at the workplace. MB guidelines recommend telling clients, contractors and suppliers about the policy and making new workers aware of it as part of their orientation. In NB, you must file a copy of the policy with the WorkSafeNB and in NS, make it available to a Labour Dept. official upon request.

## **9. Review + Update OHS Policy Statement**

The OHS policy statement must be reviewed and revised on a regular basis. The laws generally don't explain what regularly means. Exception: NL, NS, ON and PEI say the policy must be reviewed once a year. NL, NS and PEI require that the review be undertaken in consultation with the JHSC or HSR.

## **10. Follow the Policy**

Above all, you must ensure that people in your workplace are aware of and actually comply with the OHS policy statement. Failure to follow an OHS policy is worse than no policy at all because it's evidence of a lax safety culture in which management talks a good game but tolerates unsafe behaviours and safety violations.

## BEST PRACTICES FOR IMPLEMENTING OHS POLICY STATEMENT

Several government guidelines suggest best practices for ensuring that people in the workplace take the OHS policy seriously and integrate its requirements into their work regimes, including:

- > Making compliance with the OHS policy part of the performance review of each worker, supervisor and manager;
- > Adding the health and safety responsibilities stated in the policy to the job descriptions for the affected positions;
- > Referring to the policy during safety training and new worker orientation;
  - > Giving new workers a copy of the policy when they're hired and making it clear that following the policy is a condition of their employment;
- > Requiring contractors to follow the policy as a condition of the agreement and giving them copies of the policy before they start work;
  - > Giving suppliers copies of the policy;
- > Posting the policy all around the workplace even if the law doesn't say you have to; and
  - > Most importantly of all, enforcing the policy consistently against those who commit violations up to and, if necessary, including termination.