

GENERAL ADMINISTRATION MANUAL**VOLUME 3: HUMAN RESOURCE POLICIES****TITLE: WORKPLACE HEALTH AND SAFETY**

EFFECTIVE: First issued June 26, 1997 **Revised:** July 11, 2023

1 SCOPE**1.1 Authority**

This policy was first issued under the authority of Cabinet minute No. 97-24 (June 26, 1997) and revised under the authority of DMRC minute (July 11, 2023).

1.2 Application

This policy applies to all Yukon government workplaces and to all persons hired under the *Public Service Act* and the *Education Act*.

1.3 Purpose

The purpose of this policy is to establish the policy framework for the employer's health and safety management system. This policy articulates how the Yukon government, as an employer, will perform core duties set out in the *Workers' Safety and Compensation Act* and establishes the Yukon government's commitment to workplace health and safety. This policy also articulates how the Public Service Commission can sponsor, encourage, administer and participate in a government-wide safety management system, as enabled by the *Public Service Act*.

1.4 The Yukon government's commitment to Health and Safety

1. Health and safety is a core business function that will be integrated into operational, policy, strategy and human resource decisions.
2. As an employer, the Yukon government is committed to a proactive and planned approach to health and safety, including continuous improvement and promotion of a positive safety culture.
3. All employees have the right to a safe and healthy work environment that is free of violence and harassment.
4. A safe and healthy workplace requires that employees at all levels of the organization know their responsibilities and act upon them, including the duty to report unsafe conditions.
5. Deputy ministers, assistant deputy ministers, directors, managers and supervisors are ultimately responsible and will be held accountable for maintaining a safe workplace, including that the employees under their supervision comply with the

Yukon government's health and safety management policies and procedures and applicable territorial and federal legislation.

1.5 Definitions

department: a department, corporation, commission, or agency of the Yukon government.

health and safety management system: a coordinated system of policies, procedures, processes and tools that are designed to facilitate employees to fulfill their safety duties and to ensure continuous improvement in workplace health and safety.

deputy minister: the deputy head of a department, corporation, commission or agency of the Yukon government.

Deputy Ministers Review Committee (DMRC): the committee of deputy ministers representing all departments, corporations and agencies of the Yukon government.

Health and Safety Leadership Committee (HSLC): a forum which ensures that safety committees function as intended and makes strategic recommendations to DMRC, as established in this policy.

incident: an event, or series of events, that caused or has the potential to cause injury to person, property or environment.

supervisor: a person who has charge of a workplace or authority over a worker.

health and safety performance standards: documented practices, processes and tools provided by the Public Service Commission ancillary to this policy that may include guidance on minimum requirements, record keeping, reporting, information sharing, communication, accountability measures and central agency supports.

health and safety committee: committees that are established in accordance with the Yukon *Workers' Safety and Compensation Act* and are a forum where workers and managers meet to address safety concerns and make recommendations towards the improvement of workplace health and safety.

2.0 ROLES AND RESPONSIBILITIES

Corporate Responsibilities

2.1 Employer

Deputy ministers, as the employer, are responsible in accordance with applicable legislation and collective agreements to provide a safe and healthy workplace for employees.

By establishing this policy, deputy ministers agree that the Public Service Commissioner will undertake certain central agency functions and establish health and safety performance standards which must be incorporated into departmental safety management systems.

2.2 Deputy Ministers' Review Committee

As the senior management group of the Yukon government, the Deputy Ministers' Review Committee has key accountabilities for the health and safety of employees and plays a lead corporate role on behalf of the employer in health and safety management.

2.2.1 The Deputy Ministers' Review Committee is responsible for:

- providing strategic direction and setting priorities for health and safety management throughout the Yukon government;
- approving an accountability framework for monitoring whether departments have developed safety management systems in accordance with corporate standards and their departmental hazard assessments;
- promoting and supporting effective, coordinated communication throughout the Yukon government in health and safety management; and
- responding to recommendations from the Health and Safety Leadership Committee on behalf of the employer.

As members of DMRC, deputy ministers will:

- take on both a corporate and strategic perspective;
- be knowledgeable about the safety procedures, health and safety committee operations, safety performance within their department(s) and;
- adopt a government-wide approach to problem-solving.

2.3 Health and Safety Leadership Committee

The Health and Safety Leadership Committee (HSLC) is an advisory committee to the Deputy Ministers Review Committee.

2.3.1 HSLC is co-chaired by the Public Service Commissioner and another deputy minister and includes union presidents.

2.3.2 HSLC is responsible for making recommendations to DMRC on the following matters related to government's health and safety system:

- monitoring the functioning of health and safety committees in accordance with applicable legislation, collective bargaining agreements, corporate health and safety management systems and performance standards;
- reviewing data and information from health and safety committees or brought forward by committee members to determine trends;
- identifying and advising on barriers that inhibit the effective functioning of health and safety committees; and
- sharing best practices for the safety committees.

2.4 Public Service Commission

As a central agency, the Public Service Commission is responsible for sponsoring, encouraging, administering, and participating in a government-wide safety management system. PSC will develop health and safety performance standards to enhance consistency across the Yukon government in support of improved training, communications, safety culture, data collection and performance monitoring.

2.4.1 The Public Service Commission is responsible for:

- developing health and safety performance standards and tools that include, but are not limited to:
 - hazard identification and control;
 - workplace inspection;
 - incident reporting and investigation;
 - the structure and function of health and safety committees;
 - management response to health and safety committee recommendations; and
 - other topics for the purpose of encouraging compliance with the *Workers' Safety and Compensation Act*.
- providing health and safety leadership, training and expertise to supervisors, workers, health and safety committees and department safety personnel on performance standards, best practices and common or emerging hazards;
- providing corporate communication on health and safety; and
- collecting and storing information about the government's performance in health and safety and reporting trends and data to the Health and Safety Leadership Committee and the Deputy Ministers Review Committee.

Department Responsibilities

2.5 Deputy Ministers

Deputy ministers, as the employer and the most senior managers in their departments, play critical leadership and accountability roles in the management of health and safety for departmental employees. Deputy ministers are ultimately legally accountable for fulfilling the employer duties under the *Workers' Safety and Compensation Act* in their departments and for adhering to General Administration Manual policies and performance standards on health and safety.

2.5.1 Deputy ministers are responsible for:

- implementing and adhering to the health and safety performance standards set out by the Public Service Commission;
- performing hazard assessments to determine the unique safety needs of the department for the purpose of:
 - identifying where the department may need to modify its implementation of the performance standards set out by the Public Service Commission;
 - developing and maintaining effective departmental health and safety procedures, practices, and policies to fulfil the employer duties set out in s.27 of the *Workers' Safety and Compensation Act* by, in accordance with and beyond the performance standards set out in 2.4.1 above;
 - developing job specific training and orientation, and emergency preparedness plans and procedures;

- providing leadership and a visible commitment towards a workplace that promotes and maintains the physical and psychological safety of employees;
- creating a work environment where workers can report safety concerns without reprisal;
- integrating health and safety into department planning, program delivery and policy development, including factors that contribute to the mental health and psychological safety of workers;
- setting health and safety performance standards for their departments, ensuring those measures are aligned with DMRC priorities;
- providing to the Public Service Commission the information necessary to monitor and report on the government's performance in health and safety and emerging safety trends;
- identifying the financial and human resources necessary to provide a safe and healthy workplace for employees;
- ensuring health and safety committees are meeting regularly and are in compliance with the *Workers' Safety and Compensation Act* and corporate performance standards;
- ensuring an appropriate response in a timely manner to health and safety committee recommendations;
- complying with orders issued by the Yukon Workers' Safety and Compensation Board and paying fines in a timely manner; and
- hiring supervisors who are competent to ensure that work is performed in a safe manner and holding them accountable for fulfilling their responsibilities.

2.6 Supervisors

Supervisors have the authority to direct how employees do work. As such, they play a crucial role in modeling behaviour and helping to promote a positive safety culture.

Supervisors are the first point of contact for workers and have a responsibility to preemptively ensure a culture of safety, including psychological safety, so that workers feel supported to raise issues and contribute to continuous safety improvement.

2.6.1 Supervisors are responsible for:

- being competent, because of knowledge, training or experience, to ensure that work is performed in a safe manner;
- ensuring that employees who exercise their rights in good faith are free from reprisal;
- knowing and acting upon their duties as supervisors under applicable legislation, including the Criminal Code of Canada and the Yukon *Worker's Safety and Compensation Act* and regulations. These duties include:
 - a) taking preventative action by ensuring employees under their direction and control are properly instructed, trained and equipped for their work and are working without undue risk; and
 - b) advising employees of potential hazards of their work and providing them with the means to protect themselves, including training, personal protective equipment or other protections;
- informing employees and helping them understand how to exercise their rights under applicable legislation, including:
 - a) the right to know about hazards to health and safety at their workplaces;
 - b) the right to participate in health and safety initiatives; and

- c) right to refuse hazardous work.
- ensuring all workplace health and safety incidents and concerns are reported and investigated promptly, all reports are completed and corrective action is taken; and
- fulfilling their responsibilities under departmental and corporate health and safety management systems and the corporate health and safety policy.

Employee Responsibilities

2.7 Employees

All employees must be diligent in protecting their health and safety at work and contribute to a culture of health and safety by reporting incidents, making suggestions for how work can be conducted safely and supporting their colleagues to do the same.

2.7.1 Employees are responsible for:

- knowing and acting upon their duties and rights under the *Workers' Safety and Compensation Act* and regulations, including:
 - a) taking all necessary precautions to ensure their own health and safety and that of any other person in the workplace;
 - b) reporting to their supervisor any work-related health or safety hazards, injuries or incidents (including near misses); and
 - c) understanding their right to refuse hazardous work;
- following their supervisor's instructions on health and safety, as well as all departmental and corporate direction on health and safety; and
- fulfilling all of their responsibilities under departmental and corporate health and safety management systems and the corporate health and safety policy.

3.0 REVIEW

- The Yukon government will review, and revise as necessary, its workplace health and safety management system at least every three years or whenever there is a significant change in circumstances that affects or could affect health and safety.
- The Public Service Commission is responsible for designing, conducting and reporting on system reviews on behalf of the employer.
- System reviews will:
 - assess compliance with applicable legislation and safety policy; and
 - assess opportunities to improve the system.
- In anticipation of system reviews, the Public Service Commission can set standard health and safety performance indicators.

4.0 CONSEQUENCES

Failure to comply with this policy may result in disciplinary action up to and including dismissal, where circumstances warrant. Failure on the part of deputy ministers or other supervisors to comply with the *Workers' Safety and Compensation Act* or the Criminal Code of Canada may result in penalties or criminal charges.

References

Collective Agreements between the Yukon government and the Yukon Association of Education Professionals and the Yukon government and the Public Service Alliance of Canada

Criminal Code of Canada

Yukon Education Act

Yukon Workers' Safety and Compensation Act and regulations

Yukon Public Service Act