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## OCCUPATIONAL HEALTH AND SAFETY

### PURPOSE


1. The Government recognizes the importance of providing a safe and healthy work place. Employees must take all reasonable precautions to make sure that they and their fellow employees are working in safe conditions.
2. Such reasonable provisions shall include personal protection devices (such as alarms) for employees who are routinely required to work in potentially dangerous situations where immediate help is not available.

### APPLICATION

3. These guidelines and procedures apply to all employees.

### DEFINITIONS

4. **Occupational Health and Safety** is a means of controlling workplace hazards, by reducing or eliminating occupational injuries or illnesses.
5. **Impairment** is a lessening of a person's abilities to carry out work in a safe and proper manner. Alcohol and drugs can cause, but are not the only cause of, impairment. The following symptoms may indicate impairment:
  - slurred speech;
  - staggering;
  - lack of co-ordination or mobility;
  - marked change in personality or in appearance.
6. **Controlled Products** are defined by the *Hazardous Products Act* as follows:
  - CLASS A Compressed Gases
  - CLASS B Flammable and Combustible Material
  - CLASS C Oxidizing Material
  - CLASS D Poisonous and Infectious Material
  - CLASS E Corrosive Material
  - CLASS F Oxidizing Material

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7. **Health & Safety Committee** is a joint worksite committee established under Section 7 of the *Safety Act*.
8. **Safety Officer** is an individual appointed pursuant to Section 19 of the Safety Act.

**PROVISIONS**

9. Where the Employer requires an employee to undergo a specific medical, hearing or vision examination by a designated qualified medical practitioner, the examination will be conducted at no expense to the employee. The employee shall, upon written request, be able to obtain results of all specific medical, hearing or vision examinations conducted.
10. Employees shall authorize that the requested specific medical, hearing, or vision examination information be supplied to the Employer with the understanding that such information shall be maintained in a confidential manner in the Human Resource Section of the applicable Department, Board, Agency or Region. Employees shall not refuse to take such medical, hearing or vision examinations.
11. Where an employee is required to undergo a medical examination in order to qualify for or maintain a license or other qualifications required in the performance of that employee's duties, the examination will be conducted at no expense to the employee.
12. Managers ensure compliance with all applicable provisions of the Nunavut health and safety legislation and take reasonable measures and precautions to make sure that working conditions are safe for employees.
13. Employees should not engage in behaviour, which is hazardous to the health and safety of themselves or others. If an employee engages in activities that create a safety hazard, the employee's supervisor may take disciplinary action, ranging from a reprimand to dismissal.
14. Employees have the right to refuse work where it poses a safety hazard to themselves or others.
15. Managers arrange any necessary training and guidance that employees need to carry out their duties in a safe manner.




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16. Managers make sure that employees working with controlled products are knowledgeable about the Workplace Hazardous Materials Information System (WHMIS). Examples of employees requiring WHMIS training are (but are not limited to):
- welders;
  - mechanics;
  - janitors;
  - nurses;
  - geologists;
  - laboratory technicians.
17. Managers do not allow impaired employees who pose a safety risk to themselves or to their fellow workers to remain at the workplace. The manager takes reasonable steps to make sure the employee has safe passage to an appropriate destination.
18. If employees perceive that their work is hazardous to their health and safety, employees can refuse to work. However, employees should make safety concerns immediately known to their supervisor. Managers shall not discipline employees who refuse to work in conditions that are unsafe.
19. Employees who are required to regularly work directly with video display terminals (VDT) are allowed a ten-minute break away from the VDT after each hour of continuous operation.
20. Managers must make the workplace safe for employees by doing the following:
- monitoring workplace conditions;
  - limiting entry to authorized personnel only; and
  - correcting safety hazards.
21. To make sure employees perform their duties safely, managers take the following actions:
- provide protective devices such as alarms;
  - provide protective clothing and proper safety devices;
  - monitor employees' performance;
  - provide training on safety procedures;
  - correct problems, as required.

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22. If an employee reports to work showing symptoms of impairment, the following procedures occur:
- (1) the employee's manager accurately documents all information about the perceived impairment including:
    - the date, time and location, and the behaviour and mannerisms of the employee in question;
    - the names of witnesses, if any;
    - an explanation of how the employee presents a safety risk.
  - (2) the manager prevents the employee from entering or remaining at the work site and explains the following to the employee:
    - the employee's condition prevents the employee from performing duties in a safe and proper manner;
    - the employee cannot return to the workplace until the employee is fit to carry out duties in a safe and proper manner.
  - (3) the manager makes sure the employee has safe passage to an appropriate destination away from the work site.
23. The manager decides on the appropriate disciplinary action based on the employee discipline guidelines.
24. When an employee feels there is an unusual safety hazard in the workplace, the employee should take the following actions:
- immediately inform other employees near the unsafe working conditions of the potential danger.
  - immediately report the circumstances of the unsafe working conditions to the manager.
25. If a manager receives notice that an employee refuses to work, the manager does the following:
- investigates the reported unsafe working conditions.
  - takes corrective action required to remove the unusual danger. (This is done in the presence of the employee who refused to work and a representative of the employee's union. If the union representative is

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unavailable, the complainant can choose another employee to stand in for the union representative.)

26. An employee may still refuse to work after the manager has investigated the situation and taken corrective action. Where the situation affects an employee in the NEU bargaining unit, the manager, employee or manager's supervisor contacts the health and safety committee or a safety officer about the refusal to work. The committee or the safety officer investigates the situation.
27. If an employee refuses to work after officials have investigated and corrected a reported safety hazard, managers may consider the employee insubordinate and take appropriate disciplinary action.
28. In the event that a teacher suffers an assault, the Principal will immediately investigate the situation in accordance with the steps outlined in the *Education Act*, the *Safety Act* and any other relevant jurisdictional policies and regulations. The Principal will keep the Supervisors of Schools and the Nunavut Teachers Association informed of ongoing developments for each situation under investigation.

#### **AUTHORITIES AND REFERENCES**

29. *Education Act*
30. *Safety Act*
31. Main Collective Agreement with the NEU  
Article 38, Safety and Health
32. Collective Agreement with the NTA  
Article 22, Responsibilities for Safe Working Environment

#### **CONTACTS**

33. For clarification or more information, please contact:

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975-6211**