

SMALL BUSINESS CHECKLIST: 20-49 EMPLOYEES

Road Map Section	Requirements (20-49 Employees)	In Practice	
		Y	N
Duties and Responsibilities	Are the following parties at your workplace aware of their duties and responsibilities:		
	▪ Employer (General Manager, Owner, and/or Constructor)		
	▪ Supervisors		
	▪ Workers		
	Are workers informed of their rights to: know, participate and refuse unsafe work?		
	Is everyone aware that you cannot be disciplined for obeying health and safety laws or cooperating with MOL investigations?		
	Is everyone aware of their rights under Employment Standards legislation?		
	Have you implemented the AODA requirements?		
Health and Safety Policy	Do you have a health and safety policy statement that is communicated to employees?		
	Is the policy signed by the owner, dated and reviewed annually?		
	Is there a written program to implement the health and & safety policy?		
Posting Requirements	Is the following information posted and accessible to all workers:		
	▪ OH&S Act and applicable Regulations		
	▪ Prevention Starts Here poster (English & primary language of workers)		
	▪ WSIB In Case of Injury Poster*		
	▪ Health and safety policy statement		
	▪ Violence policy statement and Harassment policy statement(s)		
	▪ Names and location of JHSC members and JHSC meeting minutes		
	▪ Monthly inspection report by JHSC worker rep		
	▪ MOL field visit reports, MOL Orders and Notices of Compliance		
	▪ Occupational hygiene test results (e.g., noise survey, airborne contaminants)		
	▪ Emergency services and numbers		
	▪ Employment Standards Act Poster		

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Violence and Harassment	Is there a violence and harassment prevention policy statement(s) communicated to workers and posted in a conspicuous place?		
	Are the policies signed by the owner and dated? Are they reviewed annually?		
	Has a risk assessment been conducted and shared with the H&S Rep?		
	Is there a violence and harassment prevention program to support the policy? Does it cover how and to whom incidents are to be reported? How incidents will be investigated? How parties will be informed of results of investigations?		
JHSC and Inspections	Does the workplace have a Joint Health & Safety Committee (JHSC) ?		
	Does the JHSC meet at least quarterly and document meeting minutes?		
	Is the JHSC comprised of a minimum 1 worker rep and 1 management rep?		
	Is the worker rep elected by workers who do not exercise managerial functions?		
	Does the JHSC worker rep conduct monthly workplace inspections?		
	Does the JHSC review the violence risk assessment and provide feedback (annually)?		
	Does the employer respond to JHSC recommendations in writing, within 21 days?		
Hazards	Have the workplace hazards and risks been identified?		
	Is the hierarchy of control considered when choosing preventive measures?		
	Is there a plan for fire and other emergencies?		
Training and Orientation	Have the employer, supervisors, and workers completed mandatory health and safety awareness training ?		
	Are workers trained on job-specific hazards and safe work practices?		
	Do you train on the proper use, care and replacement of personal protective equipment?		
	Have workers been provided with information and instruction on preventing workplace violence and harassment?		
	Do you orient the worker H&S Rep to their role and duties?		
First Aid*	Is there an adequate number of workers trained in First Aid?		
	Do the first aid kit contents meet requirements for the number of workers?		
	Is the first aid kit inspected every 3 months?		
	Are all first aid treatments documented?		

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Injury Reporting and Investigation	Do you know the MOL reporting requirements for critical injury and other events?		
	Is the JHSC worker representative(s) aware of their right to inspect the area after a critical injury?		
Return to Work	Do you have a program to offer modified duties for injured workers?		

*Applies to firms covered under the [WSI Act](#)

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Questions? **1 877 494 WSPS (9777)**

WSPS.CA/SmallBusiness

Glossary

AODA Accessibility for Ontarions with Disabilities Act

Critical Injury As defined by Regulation 834 is any injury of a serious nature that:

- places a life in jeopardy
- produces unconsciousness
- results in a substantial loss of blood
- involves the fracture of a leg or arm, but not finger or toe
- involves the amputation of a leg, arm, hand or foot, but not a finger or a toe
- consists of burns to a major portion of the body; or
- causes the loss of sight in an eye.

Employer The **Occupational Health and Safety Act** (OH&S Act) defines an employer as a person who employs one or more workers or contracts for the services of one or more workers and includes a contractor or subcontractor who performs work or supplies services, and a contractor or subcontractor who undertakes with an owner, constructor, contractor or subcontractor to perform work or supply services.

Employment Standards The Employment Standards Act (ESA) regulates minimum wage, hours of work, public holidays and other employment standards.

Hierarchy of Control A priority list of control measures to eliminate or reduce risk.

Joint Health and Safety Committee (JHSC) A committee established under provisions of the Occupational Health and Safety Act. Joint Health and Safety Committees are generally required in workplaces with 20 or more workers. At least half of the committee members must be workers who do not exercise managerial functions; the worker members must be selected by the workers or, where there is one, the trade union. Management must appoint the remaining members from among persons who exercise managerial functions. The responsibilities and powers of a joint committee include: obtaining information on workplace hazards, identifying workplace hazards, and recommending how to make the workplace safer and healthier. For mushroom, greenhouse, dairy, hog, cattle and poultry farming operations, JHSC certification training is required if there are 50 or more workers.

Mandatory Health & Safety Awareness Training Employers in Ontario must ensure that all of their workers and supervisors complete a basic occupational health and safety awareness training program.

MOL Ministry of Labour

OH&S Act Occupational Health and Safety Act

Regulations Specific guiding laws that give instructions on how the law operates. The Occupational Health and Safety Act authorizes the Minister of Labour or Cabinet to enact the regulations. When a provision is made by regulation, it is referred to as being ‘prescribed’.

Supervisor The [Occupational Health and Safety Act](#) (OH&S Act) defines a supervisor as a person who has charge of a workplace or authority over a worker.

Worker Under the [Occupational Health and Safety Act](#) (OH&S Act), a “worker” is any of the following:

1. A person who performs work or supplies services for monetary compensation.
2. A secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled.
3. A person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university or other post-secondary institution.
4. A person who receives training from an employer, but who, under the [Employment Standards Act, 2000](#) (ESA), is not an employee for the purposes of that act because the conditions set out in subsection 1 (2) of that act have been met.
5. Other persons who work or provide services to an employer for no money, who may be prescribed by regulation. (At this time, no such persons have been prescribed as a “worker” under the OH&S Act.)

The definition of “worker” does not include:

- an inmate of a correctional institution or similar facility who participates inside the institution or facility in a work project or rehabilitation program;
- a volunteer who works for no monetary payment of any kind

Working from Heights Where a worker is exposed to the hazard of falling and the surface to which he or she might fall is more than three meters below the position where he or she is situated. (Ontario Regulation 851)

WSIB Workplace Safety and Insurance Board.

WSI Act Workplace Safety and Insurance Act.