

Internal Responsibility System Policy



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What is an Internal Responsibility System (IRS)? The Occupational Health and Safety Act defines the duties and responsibilities of workers, supervisors and employers. While some of these duties may overlap each other, it is the collective process of these responsibilities and duties as a whole, that is understood as the Internal Responsibility System. The success of the IRS and, ultimately, the ongoing health and safety of ALL Bernard Rochefort Ltd. employees requires that the employer defines the responsibilities and performance accountabilities for each individual noted below, and others as defined by Bernard Rochefort Ltd., for adherence to the system and the understanding of its intent. It is expected that the IRS will also help to promote a safety culture, best practices, develop self-reliance and ensure compliance, in addition to establishing a sharing system for responsibilities.

Law:

A well-developed Communication Process for managers and key management stakeholders with respect to ensuring that all parties understand the roles and responsibilities of all positions from a Health and Safety point of view.

Policy:

Bernard Rochefort Ltd., in its ongoing efforts to provide excellence in Health and Safety in the workplace, and in its ongoing attempts to improve the communication process of Health and Safety in the workplace, will ensure that all employees are trained in and understand all aspects of the IRS. By supporting the IRS at all levels, the employer is demonstrating their commitment to effective communication, enforcement and education of health and safety concerns and initiatives. The IRS also acts as a tool to illustrate the responsibilities and duties of all levels of staff and management, and the attached corporate flow chart will be updated on a yearly basis as part of the annual review of the Occupational Health and Safety Program, or earlier, should job responsibilities or staffing change. Bernard Rochefort Ltd. sees the employee/employer relationship as a partnership in ensuring a safe and disease free workplace. Through the IRS, Bernard Rochefort Ltd. recognizes that everyone in the workplace is responsible for his or her own safety and for the safety of co-workers.

Process/Procedure:

The procedure is as follows:

1. All new hires will be trained on the reporting process as part of their new hire orientation. These new hires will also be trained on the duties and responsibilities of each position from a health and safety point of view in addition to the job specific requirements for the position to which they have been accepted.
2. There will be a specific sign-off on the orientation process by which new employees will indicate that they have been trained on and understand the IRS for Bernard Rochefort Ltd.

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3. Existing Managers and front line supervisors will be required to review this process and sign-off on the review form to confirm completion.
4. As part of the yearly Management review of the OH&S program, the VP will review each senior manager's performance and will consider their performance in Health and Safety as part of that process.

IRS Health and Safety Responsibilities and Duties Defined:

Employer:

As per the Occupational Health and Safety Act, the employer's duties are defined as follows:

Section 23(1) A constructor shall ensure, on a project undertaken by the constructor that

- a) the measure and procedures prescribed by this Act and the regulations are carried out on the project;
- b) every employer and every worker performing work on the project complies with this Act and the regulations; and
- c) The health and safety of workers on this project is protected.

2) Where so prescribed a constructor shall, before commencing any work on a project, give to a Director notice, in writing, of the project containing such information as may be prescribed.

Section 25(1) An employer shall ensure that

- a) the equipment, materials and protective devices as prescribed are provided;
- b) the equipment, materials and protective devices provided by the employer are maintained in good condition;
- c) the measure and procedures prescribed are carried out in the workplace;
- d) the equipment, materials and protective devices provided by the employer are used as prescribed; and
- e) a building, structure, or any part thereof, or any other part of a workplace, whether temporary or permanent, is capable of supporting any loads that may be applied to it,
 - (i) as determined by the applicable design requirements established under the version of the Building Code that was in force at the time of its construction,
 - (ii) in accordance with such other requirements as may be prescribed, or
 - (iii) in accordance with good engineering practice, if subclauses (i) and (ii) do not apply. R.S.O. 1990, c. O.1, s. 25 (1); 2011, c. 11, s. 9.

2) Without limit the strict duty imposed by subsection 1) an employer shall

- a) provide information, instruction and supervision to a worker to protect the health and safety of the worker;
- b) in a medical emergency for the purpose of diagnosis or treatment, provide, upon request, information in the possession of the employer, including confidential business information, to a legally qualified medical practitioner and to such other persons as may be prescribed;
- c) when appointing a supervisor, appoint a competent person;

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- d) acquaint a worker or a person in authority over a worker with any hazard in the work and in the handling, storage, use, disposal, and transport of any article, device, equipment, or a biological, chemical, or physical agent;
- e) afford assistance and co-operation to a committee and a health and safety representative in the carrying out by the committee and the health and safety representative of any of their functions;
- f) only employ in or about a workplace a person over such age as may be prescribed to be in or about a workplace;
- g) not knowingly permit a person who is under such age as may be prescribed to be in or about a workplace;
- h) take every precaution reasonable in the circumstances for the protection of the worker;
- i) post, in the workplace, a copy of the OHSA and any explanatory material prepared by the Ministry both in English and the majority language of the workplace, outlining the rights, responsibilities and duties of workers;
- j) prepare and review at least annually, a written occupational health and safety policy and develop and maintain a program to implement that policy;
- k) post at a conspicuous location in the workplace a copy of the occupational health and safety policy;
- l) provide to the committee or the health and safety representative the results of a report respecting occupational health and safety that is in the employers possession and if that report is in writing, a copy of portions of the report that concern occupational health and safety;
- m) advise workers of the results of a report referred to in clause (1) and, if report is in writing, make available to them, on request, copies of the portions of the report that concern occupational health and safety.
- n) notify a Director if a committee or a health and safety representative, if any, has identified potential structural inadequacies of a building, structure, or any part thereof, or any other part of a workplace, whether temporary or permanent, as a source of danger or hazard to workers.
R.S.O. 1990, c. O.1, s. 25 (2); 2017, c. 34, Sched. 30, s. 1 (1).

Section 26 (1) In addition to the duties imposed by Section 25, an employer shall

- a) establish an occupational health service for workers as prescribed;
- b) where an occupational health service is established as prescribed, maintain the same according to the standards prescribed;
- c) keep and maintain accurate records of the handling, storage, use and disposal of biological, chemical or physical agents as prescribed;
- d) accurately keep and maintain and make available to the worker affected such records of the exposure of a worker to biological, chemical or physical agents as may be prescribed;
- e) notify a Director of the use or introduction into a workplace of such biological, chemical or physical agents as may be prescribed;
- f) monitor, at such time or times or at such interval or intervals, the levels of biological, chemical or physical agents in a workplace and keep and post accurate records thereof as prescribed;
- g) comply with a standard limiting the exposure of a worker to a biological, chemical or physical agent as prescribed;
- h) establish a medical surveillance program for the benefit of workers as prescribed;
- i) provide for safety related medical examinations and tests for workers as prescribed;

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- j) where so prescribed, only permit a worker to work or be in a workplace who has undergone such medical examinations, tests or x-rays as prescribed who is found to be physically fit to do the work in the workplace;
- k) where so prescribed, provide a worker with written instructions as to the measures and procedures to be taken for the protection of a worker; and
- l) carry out such training programs for workers, supervisors and committee members as may be prescribed.

As part of the Bernard Rochefort Ltd. Internal Responsibility System, in addition to the expectations of the Occupational Health and Safety Act of Ontario and the Construction Regulations and Associated Acts and Guidelines, the company defines the Employers IRS responsibilities as follows:

Employer – President:

Direct report for:

The employer will ensure that there are competent senior levels of management and will ensure, through part of the regular yearly performance review of senior management, that the Company’s Occupational Health and Safety Policy and Program is recognized as an integral value of the company’s structure. This will require confirmation and documentation through the performance review that the senior management team has undergone, the yearly review of the Policy and Procedure with input from the management team, as to what initiatives or improvements or personal education they have engaged in for the betterment of the company’s safety culture. This facet will be overseen by the President as instituted by the Employer.

Further, in addition to the above defined responsibilities, the employer, President, will ensure that he reviews, on a yearly basis (at a minimum), the accident analysis statistics for the company and the recommendations and reviews by the H&S Rep, Health and Safety Coordinator and the President, and to provide support, when requested, on matters of recommendation (or earlier, as deemed by the President). Any safety matter deemed urgent can be brought to the president by any level of employee if they do not feel that their concern has been addressed through the normal reporting process.

The employer is cognizant of and will ensure that reprisals are prohibited as a result of any concern being raised as confirmed by Section 50(1) of the Occupational Health and Safety Act.

Accountability:

The employer is accountable by law to the legislative requirements of the OH&SA and Construction Regulations, the Human Rights Codes of Canada, The Employment Standards Act and the Corporate Health and Safety Policy.

Accounting Manager – Reports to the President:

Responsibility:

In terms of IRS from a health and safety point of view, the Account Manager will ensure that all aspects of financial reporting to the Workplace Safety and Insurance Board are current and in compliance with the

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requirements of CAD 7 and the WSIA. (S)He will investigate and document any accidents/injuries/illnesses that may occur to office staff.

Accounts Payable/Receivable – Reports to the Account Manager:

Responsibility:

(S)he will be required to obtain all Clearance Certificates and Purchase Certificates in those situations where new acquisitions are made.

Accountability:

This will be reviewed as part of the yearly performance review.

Estimator – Reports to the President:

Responsibility:

In terms of IRS from a Health and Safety point of view, the Chief Estimator, as part of the Request for Proposal, will ensure that a PHR (Process Hazard Review) is completed and that copies of this review are made available to the Safety Coordinator and the foremen for the project.

The Estimator will ensure that a design for every job is posted at each job site.

Accountability:

The PHR's will be provided to the Supervisor/foreman, Safety Coordinator and the President will sign off on the document provided to the Safety Coordinator. These PHRs will be reviewed by the Safety Coordinator for proper completion and any omissions or concerns will be brought to the attention of the President for disciplinary process. This will be a part of the Performance Review. The President will keep a copy of the PHR in the PHR binder for each Bernard Rochefort Ltd. Project. These will be audited by the H&S committee to ensure compliance.

The Chief Estimators performance will be assessed yearly as part of the Senior Management Team performance reviews.

General Manager - Reports to the President:

Responsibility:

In terms of IRS from a Health and Safety point of view, the General Manager, as part of the Senior Management Team, is responsible for

- provide and maintain a safe, healthy work environment
- performing workplace inspections
- conducting information sessions (ensuring that the tool box lunches are held and documented)
- conducting incident investigations, employee training as required,

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- correcting unsafe conditions and acts at the shop and at the sites
- commending employee and supervisor health and safety performance
- as part of the above, to observe all workers safety performance
- being aware and understanding the requirements of the OH&SA sections 25 and 26.

Accountability:

The General Manager will be accountable to the employer by way of an Internal Performance review whereby these above elements will be graded and performance will be scrutinized. This review will be conducted yearly as part of the performance review.

Supervisors – Report to General Manager:

Responsibilities: (Foreman, Surveyors, Lead hands)

As per the Occupational Health and Safety Act the supervisors’ responsibilities are defined as the following;

Section 27 (1). A supervisor shall ensure that a worker;

- a) works in a manner and with the protective devices, measures and procedures required by the Act and the regulations, and
- b) uses or wears the equipment, protective devices or clothing that the worker’s employer requires to be used or worn;

(2) without limiting the duty imposed by subsection 1, the supervisor shall

- a) advise the worker of the existence of any potential or actual danger to the health or safety of the worker of which the supervisor is aware;
- b) where so prescribed, provide a worker with written instructions as to the measures and procedures to be taken for the protection of the worker; and
- c) take every precaution reasonable in the circumstances for the protection of the worker.

In addition to the above, the Bernard Rochefort Ltd. Internal Responsibility System (IRS) recognizes that supervisors have additional responsibilities and duties over and above the OHS and its associated guidelines. Bernard Rochefort Ltd. requires that the Field Supervisors and Surveyors and appointed supervisors are responsible for and have the duty of the following:

Additional Responsibilities and Duties as follows:

- must ensure that all foremen or lead hands are aware of any potential hazards as noted through the PHR process conducted by the Chief Estimator and that these are then communicated to the employees;
- that any hazards addressed or noted by the surveyor or as part of the TCP for a particular job site are communicated to the employees;

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- that all accidents reported to the field supervisor in the absence of the foreman or lead hand/supervisor are investigated and then, in turn, reported to the WSIB Safety Coordinator before the end of the shift on date of accident to ensure timely reporting to the WSIB and/or Ministry of Labour, if required;
- will help promote a good safety culture by ensuring that safety concerns are the first topic addressed during meetings and that the safety talks are current and well attended;
- will ensure that workplace inspections are conducted and will assist with the Safety coordinator in identifying training needs and in providing that training, where required;
- the Supervisor is the mentor on the site in terms of health and safety and will be expected to correct, immediately, any unsafe act or conditions that he/she notes or has had brought to their attention;
- will be responsible for not only commending workers on good health and safety performance but for observing employees for their performance and offering suggestions where improvement is required or rendering discipline, where needed, to enforce Health and Safety Policy;
- ensure that any safety concerns are communicated, in a clear and timely manner, to all employees;
- will ensure that all employees are aware that he/she can be approached directly with any safety concerns, at any time, without fear of reprisal.

Foreman/Lead Hand is required to perform all duties of the supervisor, as noted above, if he has been placed in a supervisory role by the Supervisor or President or Controller or General Manager. The Foreman reports to the Controller and Supervisor.

Accountability:

Annually, as part of the yearly review of corporate management team, the above elements will be assessed as part of the yearly performance review by the President for the supervisors, lead hands and foreman.

WSIB / HEALTH AND SAFETY Coordinator – Reports to the President:

Responsible for and will handle the following duties:

- ensure that all new hires undergo orientation training as per the Company Occupational Health and Safety Policy and Training Program;
- ensure that current and detailed training logs are maintained;
- ensure that all accidents are reported to the WSIB in a timely manner;
- ensure that all inspection sheets are completed by operators and signed off in addition to the monthly inspections;
- act as support to the Health and Safety Reps and will conduct inspections with them;
- alert senior management to trends or concerns in light of quarterly accident analysis and make recommendations with respect to prevention;
- conduct quarterly accident analysis for entire company and make report available to the Health and Safety reps as required;
- ensure and enforce compliance with PPE;

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- ensure compliance and enforcement of all aspects of the company Health and Safety Policy and Program;
- maintain regular contact with Supervisor and President on matters pertaining to health and safety;
- responsible for the Safety Notice Board in terms of ensuring that all data contained is current;
- ensure that the WHMIS binders are current and up to date;
- responsible for developing a health and safety library of reference material that is available for all employees to access.

Experience Requirements: Bernard Rochefort Ltd. Health and Safety Coordinator must have experience and knowledge in applicable safety legislation, incident investigation and planned workplace inspections or basic certification training.

Accountability:

The Safety Coordinator reports directly to the President and his/her performance will be assessed as part of the yearly management performance review. Each responsibility will be measured for performance.

Workers – Report to Supervisors:

Report directly to the supervisor in charge at site (this may be supervisor, lead hand or foreman or supervisor. This will be communicated at project start by the Supervisor or President). Bernard Rochefort Ltd. recognizes that everyone within the company is a worker under the Act. As noted previously, Bernard Rochefort Ltd. recognizes that we all share equally in terms of Health and Safety, and the workers role is just as significant and important as that of the president as he/she quite often are the first eyes or ears to detect any safety concerns. With that in mind, the Occupational Health and Safety Act states the following:

Section 28 (1) A worker shall;

- a) work in compliance with provisions of this Act and the regulations;
- b) use or wear the equipment, protective devices or clothing that the workers' employer requires to be used or worn;
- c) report to his or her employer or supervisor the absence of, or defect in, any equipment or protective device of which the worker is aware and which may endanger himself, herself or another worker; and
- d) report to his or her employer or supervisor any contravention of this Act or its regulations or the existence of any hazard of which he or she is aware.

(2) No worker shall

- a) remove or make ineffective any protective device required by the regulations or by his or her employer without providing an adequate temporary protective device and, when the need for removing or making ineffective the protective device has ceased, the protective device shall be replaced immediately;

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- b) use or operate any equipment, machine, device or thing or work in any manner that may endanger himself, herself or another worker; or
- c) engage in any prank, contest, feat of strength, unnecessary running or rough or boisterous conduct.

In addition to those items addressed by the OHS, Bernard Rochefort Ltd.'s Internal Responsibility system expects that all workers will be responsible for:

- reporting all accidents immediately as they are aware of their occurrence to their foreman, lead head or in that absence to the WSIB/Health and Safety Coordinator;
- recognizing and commenting on positive safety initiative taken by new employees;
- consistently portraying safe work practices to coworkers;
- reporting any and all safety concerns to their direct report as soon as possible to ensure that prevention steps can be taken;
- observing their co-worker when working during hot weather as per the Heat Stress Policy and Hot Weather Plan.

Worker Accountabilities:

Bernard Rochefort Ltd. has a three step discipline process that involves verbal and written warning, and then termination. Bernard Rochefort Ltd. reserves the right to terminate a worker with no warning if conducting work in such a manner that may pose immediate/serious threat to himself or co-workers in a flagrant disregard of the Company's Health and Safety Policies and Programs. Further, should any worker assault, threaten or engage in harassment of any kind, the Management reserves the right to terminate, without notice, depending on the circumstances of each individual case. The discipline process and safe work processes, as well as Bernard Rochefort Ltd. Health and Safety Policies, are clearly defined in the Orientation Program. The worker is required to sign off on completion of this program. This is confirmation of his/her understanding of those conditions.

Contractor Responsibilities:

The Contractor who provides services (ie, delivery, mechanical repair, etc...) for Bernard Rochefort Ltd. must ensure the following:

- the health and safety of all workers;
- qualified workers are provided for work performed and that all necessary tickets and certifications are current and valid;
- all work is performed to Bernard Rochefort Ltd. standards as well as all required governing legislation, construction regulation, Traffic Control and General Construction industry standards;
- provide the necessary certificate of clearance prior to commencing work (if applicable);
- adhere to all Bernard Rochefort Ltd. Occupational Health and Safety Policies while on site;
- ensure that all contractors have their necessary documentation on them at all times;
- are subject to removal from the project or shop site for failure to comply with any of the above.

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Accountabilities:

Bernard Rochefort Ltd., as part of the contract renewal process, will review any complaints registered by the MOL, MTO, and Bernard Rochefort Ltd. staff that have worked in conjunction with the contractor. At the discretion of the President, the contractor will be given an opportunity to remedy any deficiencies in an agreed upon time frame. However, should the contractor fail to meet the responsibilities as outlined above, the President and/or General Manager has the right to terminate this relationship. This will be assessed on an as needed basis and, at least annually, at time of contract renewal.

Visitors Responsibility:

- Visitors, as well as guests and suppliers, to Bernard Rochefort Ltd. main office/shops are required to sign in with the receptionist at the main offices and to sign out.
- While on a project site, no visitor shall be permitted around the operation unless accompanied by the Supervisor or foreman/lead hand.
- While on site, must wear all applicable personal protective equipment.
- Must remain in designated areas if advised by his escort or other person of authority.
- Must report any illness or injury immediately to the supervisor or foreman during the visit.
- All visitors to sites must sign formal log sheet to confirm their arrival on site and must sign out upon leaving.
- The sign in sheet will be kept with the foreman/supervisor or lead hand.

Any Visitor found to be in non-compliance may, at the discretion of the President, be formally advised that they are no longer welcome at Bernard Rochefort Ltd..

Project Supervisor - Reports to the President:

The Project Supervisor shares the same Health and Safety Responsibilities as those of the Supervisor, from a health and safety point of view.

Responsibilities:

- Ensure that all foremen or lead hands are aware of any potential hazards as noted through the PHR process conducted by the Chief Estimator and that these are then communicated to the employees.
- Any hazards addressed or noted for a particular job site are communicated to the employees.
- All accidents reported to the WSIB / Health and Safety before the end of the shift on date of accident to ensure timely reporting to the WSIB and/or Ministry of Labour, if required.
- Help promote a good safety culture by ensuring that safety concerns are the first topic addressed in morning scheduling meetings, and that the tool box talks are current and well attended.
- Ensure that workplace inspections are conducted and assist with the Safety coordinator in identifying training needs and in providing that training, where required.
- Be responsible for not only commending workers on good health and safety performance, but for observing employees for their performance and offering suggestions where improvement is required, or rendering discipline where needed to enforce Health and Safety Policy.

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- Ensure that any safety concerns are communicated in a clear and timely manner to all employees.
- Ensure that all employees are aware that he can be approached directly with any safety concerns at any time without fear of reprisal

Accountability:

The Controller is accountable to the President. He is accountable to the OH&SA and Construction regulations when acting as a supervisor and all relevant provincial and federal legislations, the Corporate Health and Safety Policy and Programs.

Approval & Acknowledgement:

A handwritten signature in blue ink, consisting of a large, stylized 'R' followed by a horizontal line extending to the right.

Rhéaume Rochefort

Feb 1st, 2018

Date:

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