

OHS Act section	Language
s.23, Duties of constructor	<p>23 (1) A constructor shall ensure, on a project undertaken by the constructor that,</p> <ul style="list-style-type: none"> (a) the measures 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 the project is protected. <p><u>Notice of project</u></p> <p>(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. R.S.O. 1990, c. O.1, s. 23.</p>
s. 25, Duties of employers	<p>25 (1) An employer shall ensure that,</p> <ul style="list-style-type: none"> (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 measures 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, <ul style="list-style-type: none"> 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. <p><u>Idem</u></p> <p>(2) Without limiting the strict duty imposed by subsection (1), an employer shall,</p> <ul style="list-style-type: none"> (a) provide information, instruction and supervision to a worker to protect the health or 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; (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; (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 a worker;

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	<p>(i) post, in the workplace, a copy of this Act 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;</p> <p>(j) prepare and review at least annually a written occupational health and safety policy and develop and maintain a program to implement that policy;</p> <p>(k) post at a conspicuous location in the workplace a copy of the occupational health and safety policy;</p> <p>(l) provide to the committee or to a health and safety representative the results of a report respecting occupational health and safety that is in the employer's possession and, if that report is in writing, a copy of the portions of the report that concern occupational health and safety; and</p> <p>(m) advise workers of the results of a report referred to in clause (l) and, if the report is in writing, make available to them on request copies of the portions of the report that concern occupational health and safety;</p> <p>(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).</p> <p><u>Idem</u></p> <p>(3) For the purposes of clause (2) (c), an employer may appoint himself or herself as a supervisor where the employer is a competent person. R.S.O. 1990, c. O.1, s. 25 (3).</p> <p>Same</p> <p>(3.1) Any explanatory material referred to under clause (2) (i) may be published as part of the poster required under section 2 of the Employment Standards Act, 2000. 2009, c. 23, s. 2.</p> <p><u>Idem</u></p> <p>(4) Clause (2) (j) does not apply with respect to a workplace at which five or fewer workers are regularly employed. R.S.O. 1990, c. O.1, s. 25 (4); 2011, c. 1, Sched. 7, s. 2 (2).</p> <p>Same</p> <p>(5) Clause (2) (n) does not apply to an employer that owns the workplace. 2017, c. 34, Sched. 30, s. 1 (2).</p>
<p>s.27, Duties of supervisors</p>	<p>27 (1) A supervisor shall ensure that a worker,</p> <p>(a) works in the manner and with the protective devices, measures and procedures required by this Act and the regulations; and</p> <p>(b) uses or wears the equipment, protective devices or clothing that the worker's employer requires to be used or worn.</p> <p><u>Additional duties of supervisor</u></p> <p>(2) Without limiting the duty imposed by subsection (1), a supervisor shall,</p> <p>(a) advise a worker of the existence of any potential or actual danger to the health or safety of the worker of which the supervisor is aware;</p> <p>(b) where so prescribed, provide a worker with written instructions as to the measures and procedures to be taken for protection of the worker; and</p> <p>(c) take every precaution reasonable in the circumstances for the protection of a worker. R.S.O. 1990, c. O.1, s. 27.</p>
<p>s.28, Duties of workers</p>	<p>28 (1) A worker shall,</p> <p>(a) work in compliance with the provisions of this Act and the regulations;</p> <p>(b) use or wear the equipment, protective devices or clothing that the worker's employer requires to be used or worn;</p>

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	<p>(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</p> <p>(d) report to his or her employer or supervisor any contravention of this Act or the regulations or the existence of any hazard of which he or she knows.</p> <p><u>Idem</u></p> <p>(2) No worker shall,</p> <p>(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;</p> <p>(b) use or operate any equipment, machine, device or thing or work in a manner that may endanger himself, herself or any other worker; or</p> <p>(c) engage in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct.</p>
<p>s.30, Duty of project owners</p>	<p>Duty of project owners</p> <p>30 (1) Before beginning a project, the owner shall determine whether any designated substances are present at the project site and shall prepare a list of all designated substances that are present at the site.</p> <p><u>Tenders</u></p> <p>(2) If any work on a project is tendered, the person issuing the tenders shall include, as part of the tendering information, a copy of the list referred to in subsection (1).</p> <p><u>Idem</u></p> <p>(3) An owner shall ensure that a prospective constructor of a project on the owner's property has received a copy of the list referred to in subsection (1) before entering into a binding contract with the constructor.</p> <p><u>Duty of constructors</u></p> <p>(4) The constructor for a project shall ensure that each prospective contractor and subcontractor for the project has received a copy of the list referred to in subsection (1) before the prospective contractor or subcontractor enters into a binding contract for the supply of work on the project.</p> <p><u>Liability</u></p> <p>(5) An owner who fails to comply with this section is liable to the constructor and every contractor and subcontractor who suffers any loss or damages as the result of the subsequent discovery on the project of a designated substance that the owner ought reasonably to have known of but that was not on the list prepared under subsection (1).</p> <p><u>Idem</u></p> <p>(6) A constructor who fails to comply with this section is liable to every contractor and subcontractor who suffers any loss or damages as the result of the subsequent discovery on the project of a designated substance that was on the list prepared under subsection (1). R.S.O. 1990, c. O.1, s. 30.</p>