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| **UPEI Student Union** | **Policy No.** UPEI SU9 | **Revision No.** 3 |
| **Policy Title:**Government Regulations | **Page:**1 of 7 |
| **Creation Date:**February 12th, 2015 | **Version Date:**January 6th, 2019 | **Review Date:**Annually (summer) |
| **Authority:**UPEISU Council | **Responsibility:**General Manager |

1. **Preamble**

The UPEI SU is committed to ensuring that they follow and adhere to all government laws, rules and regulations. The UPEI SU will therefore comply with all applicable government laws, rules and regulations. For further information on terms or procedures under a government law, rule or regulation, the specific act pertaining to the area in question shall be consulted. In the event there is an inconsistency or conflict between the bylaws or policies established by the UPEI SU and a government law, rule or regulation, the government law, rule or regulation shall prevail.

1. **Fire Prevention**

**General**

1. The UPEI SU shall comply with the PEI Fire Prevention Act and its regulations as well as the Charlottetown City Codes and Standards.  Fire prevention and protection provisions are enforced by the PEI Fire Marshall and local assistants, by the Charlottetown Fire Prevention Bureau, and by the Fire Inspector.
2. A copy of the Fire Prevention Act and Regulations shall be kept on file at the UPEI SU.

**Fire Marshal and Assistants**

1. The functions of the Fire Marshal and Assistants, as they pertain to the W.A. Murphy Student Centre (“Student Centre”) are:

(a) To inspect the Student Centre premises;

(b) To require removal, structural repair or alterations to existing premises and property;

(c) To order installation of safeguards, exit doors, and fire escapes, as required;

(d) To provide permission for the erection of new buildings or for the removal of existing buildings; and

(e) To annually check fire alarm and extinguishers.

**Charlottetown Fire Prevention Bureau and Fire Inspector**

1. The functions of the Charlottetown Fire Prevention Bureau and the Fire Inspector as they pertain to the Student Centre are:
2. To issue permits and licenses for new or renovated building plans; and

|  |  |  |
| --- | --- | --- |
| **UPEI Student Union** | **Policy No.** UPEISU9 | **Revision No.** 2 |
| **Policy Title:**Government Regulations | **Page:**1. of 7
 |

(b) To annually inspect and spot check UPEI SU premises to ensure fire code requirements are met.

(5) The UPEI SU General Manager receives a copy of all inspection reports and any fire hazards listed must be eliminated or attended to as directed.

(6) All inspection reports carried out shall be forwarded to and required by the PEI Liquor Control Commission (“PEILCC or the “Commission”).  Such reports must be determined to be satisfactory before the Commission will grant liquor licenses or permits to the UPEI SU.

1. **Public Health**
2. The UPEI SU shall comply with the PEI Public Health Act and its Regulations regarding Eating Establishments and Licensed Premises.  The Division of Community Hygiene (the “Division”) from the Department of Social Services are empowered to set and enforce regulations.  The Community Hygiene Health Officer visits the Student Centre and must carry out an Annual Approval Inspection.  The Division is also responsible for performing spot checks and other routine inspections in accordance with set regulations.
3. The Annual Approval Inspection Report shall be forwarded to the PEI LCC by the Division, prior to April 30th of each year. This report must be determined to be satisfactory before the Commission will grant liquor licenses or permits to the UPEI SU.
4. The Community Hygiene Health Officer conducts and inspection of the Student Centre and is responsible for drafting and submitting the inspection report(s) to the UPEI SU General Manager for consideration and any infractions identified are to be addressed as directed.
5. As a result of the report(s), if any upgrades or changes are required, time shall be allowed for such upgrades and changes to be properly addressed, and such upgrades and changes shall be followed by an inspection by the Community Hygiene Health Officer.
6. **PEI Liquor Control Commission**
7. The PEILCC is responsible for formulating and administrating regulations under the PEI Liquor Control Act.  The functions of the PEI LCC, as they pertain to UPEI SU are:

(a) Prescribing terms, conditions, or limitations in respect of liquor licenses and permits, as well as governing those premises that hold licenses and permits;

(b) Regulating the equipment and management of establishments where liquor is kept or sold;

(c) Determining the classes, varieties, and brands of liquor to be sold in licensed premises;

|  |  |  |
| --- | --- | --- |
| **UPEI Student Union** | **Policy No.** UPEISU9 | **Revision No.** 2 |
| **Policy Title:**Government Regulations | **Page:**1. of 7
 |

(d) Establishing and distributing price lists for liquor to be sold; and

(e) Prescribing the days and hours during which liquor may be sold or dispensed.

(2) The PEILCC appoints inspectors to inspect licensed premises and to make reports to the Commission.  The PEILCC is not compelled to issue any license or permit and may, in its discretion, suspend any license or permit which it has granted.

1. **PEI Occupational Health & Safety**

**General**

1. The PEI Occupational Health & Safety is responsible for formulating and administrating regulations under the Occupational Health and Safety Act. The functions of the OHS, as they pertain to the UPEI SU are:

(a) Provide guidelines and procedures to make sure that the employees and patrons of the UPEI SU operation are safe;

(b) Provide guidelines and procedures on how to address a workplace injury; and

(c) Provide guidelines and procedures for the requirements of the employer to its employees.

**Health and Safety Committee**

1. The UPEI SU health and safety committee (“Health and Safety Committee”) will meet on a monthly basis, and minutes will be kept and posted in the UPEI SU office.
2. The Health and Safety Committee will consist of the following members:

(a) The UPEI SU General Manager;

(b) The UPEI SU Vice President Finance & Administration;

(c) The Fox & Crow Manager;

(d) One Student Fox & Crow staff member; and

(e) One other UPEI SU student employee.

and the UPEI SU General Manager shall act as chair of the Health and Safety Committee.

|  |  |  |
| --- | --- | --- |
| **UPEI Student Union** | **Policy No.** UPEISU9 | **Revision No.** 2 |
| **Policy Title:**Government Regulations | **Page:**4 of 7 |

1. **Worker’s Compensation**

**General**

1. In accordance with the Worker’s Compensation Act and subject to approval by the Worker’s Compensation Board (“WCB”), eligible employees of the UPEI SU shall be granted salary replacement and/or medical aid benefits from Workers’ Compensation if they are unable to perform their regular duties as a result of:

(a) Personal injury received in the performance of their employment duties and not caused by the employee’s wilful misconduct; or

(b) An industrial illness or a disease arising out of, or in the course of their employment.

1. In the event of an incident resulting in death or life threatening injury of an employee, Workers Compensation, the employee’s supervisor(s), the UPEI SU General Manager, and the UPEI SU President must be notified immediately.

**UPEI SU Incident Reports and Investigation Form Reports**

1. When an incident occurs, which results in personal injury, the employee and the immediate supervisor will complete the UPEI SU’s Incident Report and Investigation Form. This form must be completed for all incidents regardless of the severity, as reports, including near misses and close calls, can provide information of potential hazards and allow such hazards to be tracked, grouped, and hopefully prevented.
2. In order for the UPEI SU Incident Report and Investigation Forms to be properly completed and adhered to, the following are required:
	* + - 1. The supervisor must ensure that all sections of the Incident Report and Investigation Form are completed.
				2. At the bottom of the Investigation Form, the supervisor is to highlight the people or departments for which copies will be, or were, sent to, if required. The supervisor is responsible for determining whether copies should be sent based on the degree of severity of the incident or near miss. If it is determined that copies should be sent to additional people or Departments, the supervisor is responsible for forwarding these copies.
				3. The completed UPEI SU Incident Report Form will then be signed by the employee's Supervisor and the UPEI SU General Manager. The original copy will be provided to the UPEI SU General Manager for review.
				4. The UPEI SU General Manager will assign an incident number, follow-up if necessary, summarize the report electronically, and file the original form.

|  |  |  |
| --- | --- | --- |
| **UPEI Student Union** | **Policy No.** UPEISU9 | **Revision No.** 2 |
| **Policy Title:**Government Regulations | **Page:**1. of 7
 |

* + - * 1. The UPEI SU General Manager will report all incidents (generic information) to the designated UPEI officials.

**Incident Investigations**

1. The following types of incidents will be investigated:
	* + - 1. All serious injury incidents which result in hospitalization or an absence for two or more days;
				2. All fires or explosions;
				3. All major spills or releases of chemicals; or
				4. Any incident or series of incidents that the Health and Safety Committee members or supervisors deem to be investigated.
2. All incidents will be investigated by the supervisor or manager to identify and implement changes designed to prevent similar incidents from occurring in the future. Supervisors are responsible for following up on recommended corrective actions.
3. In addition, the UPEI SU General Manager and/or Health and Safety Committee Members will be involved in serious incident investigations.
4. It is expected that the supervisor, the person involved with the incident and all other members of the UPEI SU will co-operate with the investigation.

**WCB Forms**

1. In addition to the UPEI SU Incident Reports and Investigation Forms, there are two WCB forms that are required to be completed for incidents involving staff. These forms are required whether the injured worker has missed time from work or not. The forms must be completed for any incident that could potentially cause a health problem in the future. Under the Workers’ Compensation Act, the following forms are required:
	1. The Employee’s Report (Form 6), which is to be -completed by injured staff; and
	2. The Employer’s Report (Form 7) which is to be completed by the employee’s supervisor and submitted to the UPEI General Manager
2. The Employee’s Report and the Employer’s Report forms must be submitted to the WCB within three (3) days of the date of injury and must be submitted before benefit entitlement will be reviewed by WCB.

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| --- | --- | --- |
| **UPEI Student Union** | **Policy No.** UPEISU9 | **Revision No.** 2 |
| **Policy Title:**Government Regulations | **Page:**1. of 7
 |

1. If, due to unusual circumstances, a delay in forwarding the report is anticipated, the supervisor of the injured worker must inform WCB Client Services by telephone (368-5680), in order that a compensation claim may be initiated within the three (3) day period allowed by WCB.

**Worker’s Compensation Benefits**

1. In order for Employees to receive benefits from Worker’s Compensation, employees must be under the care of a physician. Without a physician’s report of injury, the claim may not be approved for benefits by WCB.

**Procedure for Receiving Worker’s Compensation Benefits**

1. Once the WCB Forms and physician’s report are submitted to the WCB, they will be reviewed by a WCB Entitlement/Case Manager and will be used in the claim adjudication process.
2. Once the documentation is assessed and reviewed by the WCB Entitlement/Case Manager, WCB will notify the employee and the UPEI SU General Manager of their decision in writing with regard to the acceptance and any possible ongoing maintenance of the claim.

1. If the employee will be off work beyond the date of the injury, WCB will advise the UPEI SU of the start date for compensable salary replacement benefits. If WCB approves the case in the event of a time-loss incident, they do not compensate for the first three days and the injured employee must complete a UPEI SU sick leave form for the first three days.

**Time Away from Work**

1. While on salary replacement benefits, an employee's enrolment in all employee benefit programs shall continue, subject to the applicable collective agreement.
2. The injured worker and the supervisor should keep in contact if the injured worker is off work for an extended period in order to keep informed about the progress and status.

**Returning to Work**

1. UPEI SU will support and encourage ease-back situations and/or modified duties, as recommended by WCB, to return an employee to active pre-injury duty.
2. The UPEI SU General Manager will keep the injured employee’s department informed of the progress of any long-term claims.

|  |  |  |
| --- | --- | --- |
| **UPEI Student Union** | **Policy No.** UPEISU9 | **Revision No.** 2 |
| **Policy Title:**Government Regulations | **Page:**1. of 7
 |

1. Once the ease back program is approved by the WCB Entitlement/Case Manager, they forward the case to a WCB Occupational Therapist. From this point all communication regarding the ease back should be made to the WCB Occupational Therapist by calling 368-5680 and providing the case ID #.

1. WCB Occupational Therapist plans the ease back program and communicates the plan to the injured worker on a weekly basis. The Occupational Therapist sends the UPEI SU General Manager a paper copy of the ease back program on a weekly basis and the UPEI SU General Manager forwards this information to the supervisor of the injured worker.
2. The UPEI SU General Manager will facilitate the ease back program between the injured worker and the supervisor. Upon communication and a progress review with the injured worker, the WCB Occupational Therapist notifies the worker and the UPEI SU General Manager of the return to work date. The UPEI SU General Manager will then notify the supervisor in order to bring the employee back on pay at the end of the ease back period.

**Reoccurrences or Relapses**

1. If reoccurrences or relapses occur, the injured employee shall:
	1. Advise their supervisor and seek medical attention;
	2. Complete another UPEI SU Incident Report and Investigation Form,
	3. Complete another WCB Form 6 (Employee’s Report) and WCB Form 7 (Employer’s Report) in order to have the claim reassessed.

**Procedure for Non-Employees**

1. When an incident occurs, which involves personal injury to a student, visitor, or other non-staff member, the person in charge of the area where the incident took place shall complete a UPEI Incident Report Form and forward the original copy to UPEI Human Resources Department.