



OHC LEVEL

1

Manual

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Please note

This publication does not replace the legislation. Please use the original legislation to find out exactly what requirements apply to your business.

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Introduction

Saskatchewan's approach to occupational health and safety legislation stems from the philosophy that responsibility for occupational health and safety is shared in the workplace. [The Saskatchewan Employment Act](#), Part III, Occupational Health and Safety (SEA) and [The Occupational Health and Safety Regulations, 1996](#) (regulations) set out a structure for this workplace responsibility system (WRS).

Occupational health committees (OHCs or committees) are required in workplaces with ten or more workers. High-hazard industries with five to nine workers require worker health and safety representatives (OHS representatives or representatives). OHCs and representatives are the primary mechanisms for employers and workers to work together to identify and resolve health and safety concerns. Experience with OHCs has proven they reduce workplace injuries and illnesses.

An OHC helps the employer and workers improve health and safety in the workplace. OHCs help identify and resolve concerns by:

- Helping the employer identify, assess and control hazards;
- Providing a channel of communication between the employer and workers;
- Conducting regular inspections;
- Talking with workers about their health and safety concerns;
- Helping the employer develop and monitor policies, plans and programs;
- Participating in incident investigations and investigations of dangerous occurrences (near misses); and
- Meeting to discuss concerns and develop recommendations for corrective actions to discuss with the employer.

What is in this guide

OHCs and employers must understand their responsibilities for establishing and maintaining healthy and safe workplaces. This is not a detailed description of the legislation.

Legal requirements are partially listed in Chapter 9: Legislation. The SEA and regulations require OHCs to perform specific tasks, like investigating refusals to work (SEA 3-31) and dangerous occurrences (regulation 31). Generally, the legislation requires the employer to consult the OHC in developing and promoting required policies, plans, programs and procedures and in reviewing incident, injury and other prescribed reports.

The employer must provide the OHC with enough time and resources to provide input during their development.

Chapter 1: Maintaining a safe workplace

This chapter covers the role of the employer and OHC, how OHCs are expected to function and their duties within the WRS. It also discusses the role of the Occupational Health and Safety Division (OHS Division) of the Ministry of [Labour Relations and Workplace Safety](#).

Chapter 2: Identifying, assessing and controlling hazards

Learn the basics of hazard identification, assessment and control.

Chapter 3: The OHC's role in incident prevention

This chapter outlines OHC structure and organization. It reviews how OHCs operate, where they are required, how they should be set up and lists their duties.

Chapter 4: Responsibilities of employers and workers towards the OHC

Review this chapter for information about the responsibilities of employers, managers, supervisors and workers to the OHC.

Chapter 5: Holding effective committee meetings

OHCs are expected to meet at least once every three months. Read this chapter to find out how to hold effective meetings.

Chapter 6: Maintaining committee effectiveness

OHC members can develop a strong sense of teamwork and help train new members.

Chapter 7: Inspections

Learn how OHCs plan, carry out and benefit from workplace inspections.

Chapter 8: Investigating incidents

This chapter provides information about the duties of OHCs and employers in investigating incidents and dangerous occurrences.

Chapter 9: Legislation

Learn about the responsibilities of OHCs and employers as set out in the SEA and regulations.

Appendices

The appendices cover special topics, such as notification requirements for new operations and how to complete the OHC meeting minutes form. It provides form templates and discusses effective communication techniques, problem solving methods and dispute resolution processes.

Chapter 1: Maintaining a safe workplace

- Fundamentals
- The workplace responsibility system (WRS) for occupational health and safety
- Direct responsibility for occupational health and safety
- Critical role of committees in the WRS
- Role of the legislation in supporting workplace responsibility
- Role of OHS Division

Introduction

What causes incidents and how can an effective WRS prevent them? This chapter outlines WRS responsibilities, including the role of the OHC in the workplace and how legislation and the OHS Division support the system.

Fundamentals

Smart employers realize it's easier and cheaper to manage risk than to administer loss. They know the root causes of incidents cause quality control, environmental protection, and production and labour-relations problems. They understand incident prevention also prevents other losses. Modern organizations combine health and safety with environmental protection and quality control activities. Successful employers have found effective health and safety goes hand in hand with competitiveness.

Workers have a right to a safe and healthy workplace. They normally suffer the most from incidents and occupational illnesses. Since workers may know more about the daily hazards they face than the employer, it makes sense for them to have an essential role in hazard identification, assessment and control.

Saskatchewan's health and safety approach reflects this experience. Every officer, director, manager, contractor, supplier, self-employed person, supervisor and worker must do everything that reasonably can be expected in order to maintain healthy and safe working conditions (i.e., show due diligence). Joint worker/management OHCs are invaluable in making the WRS succeed.

What is occupational health and safety?

The human suffering and financial loss caused by work injuries and illnesses each year is tremendous. Incident statistics and their financial costs are set out in the [Saskatchewan Workers' Compensation Board](#) (WCB) figures. Every statistic represents incalculable human suffering. The suffering of the injured often is intensified by the knowledge that all incidents predictable and, as such, preventable. Effective occupational health and safety programs prevent incidents and reduce suffering.

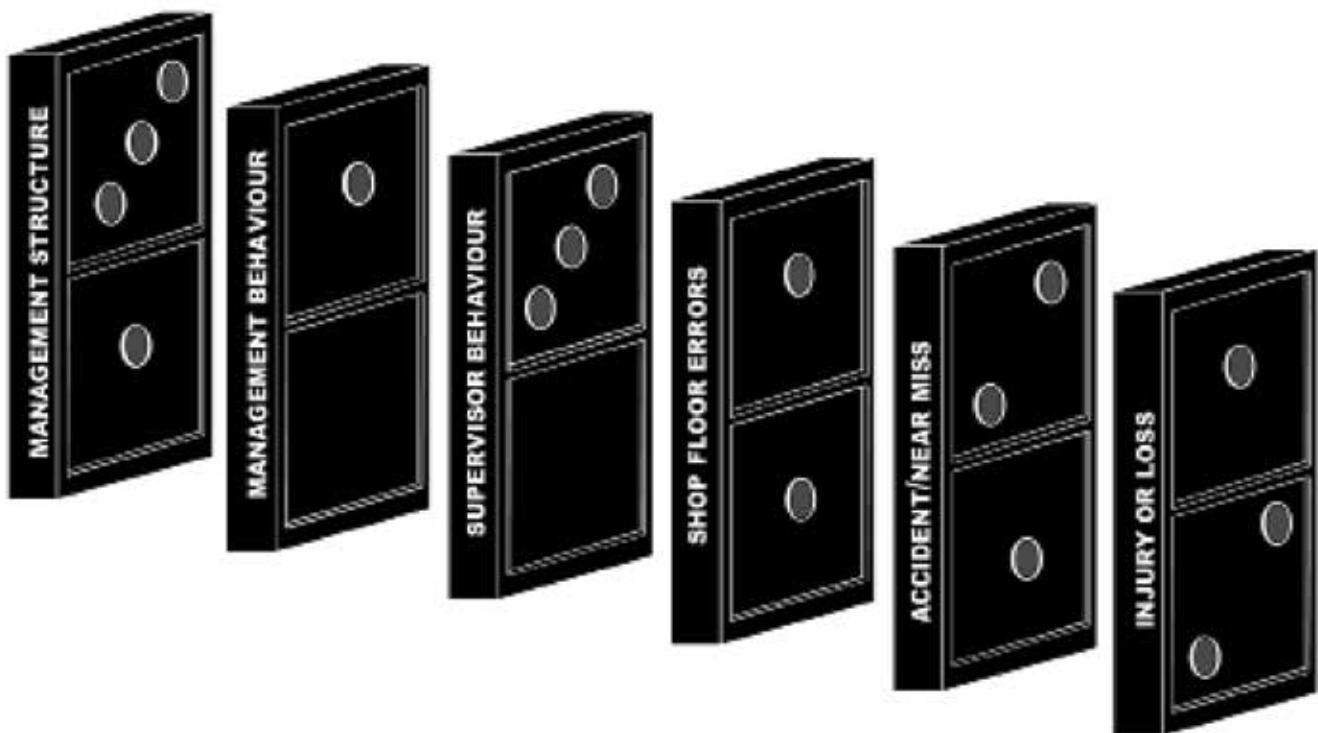
Occupational health and safety involves more than correcting unsafe actions and conditions. Under SEA 3-1(1)(o), it includes:

- The promotion and maintenance of the highest degree of physical, mental and social well-being of workers;
- The prevention among workers of ill health caused by working conditions;
- The protection of workers from factors adverse to their health;
- The placing and maintenance of workers in working environments that are adapted to their individual physiological and psychological conditions; and
- The promotion and maintenance of a workplace free of harassment.

Incidents, illnesses and loss result where these things are not present.

What causes incidents?

This book uses a simplified version of the incident causation theory proposed by Edward E. Adams¹. The falling domino sequence illustrates the Adams model. The WRS concept is compatible with this model. Each domino represents a component of the WRS.

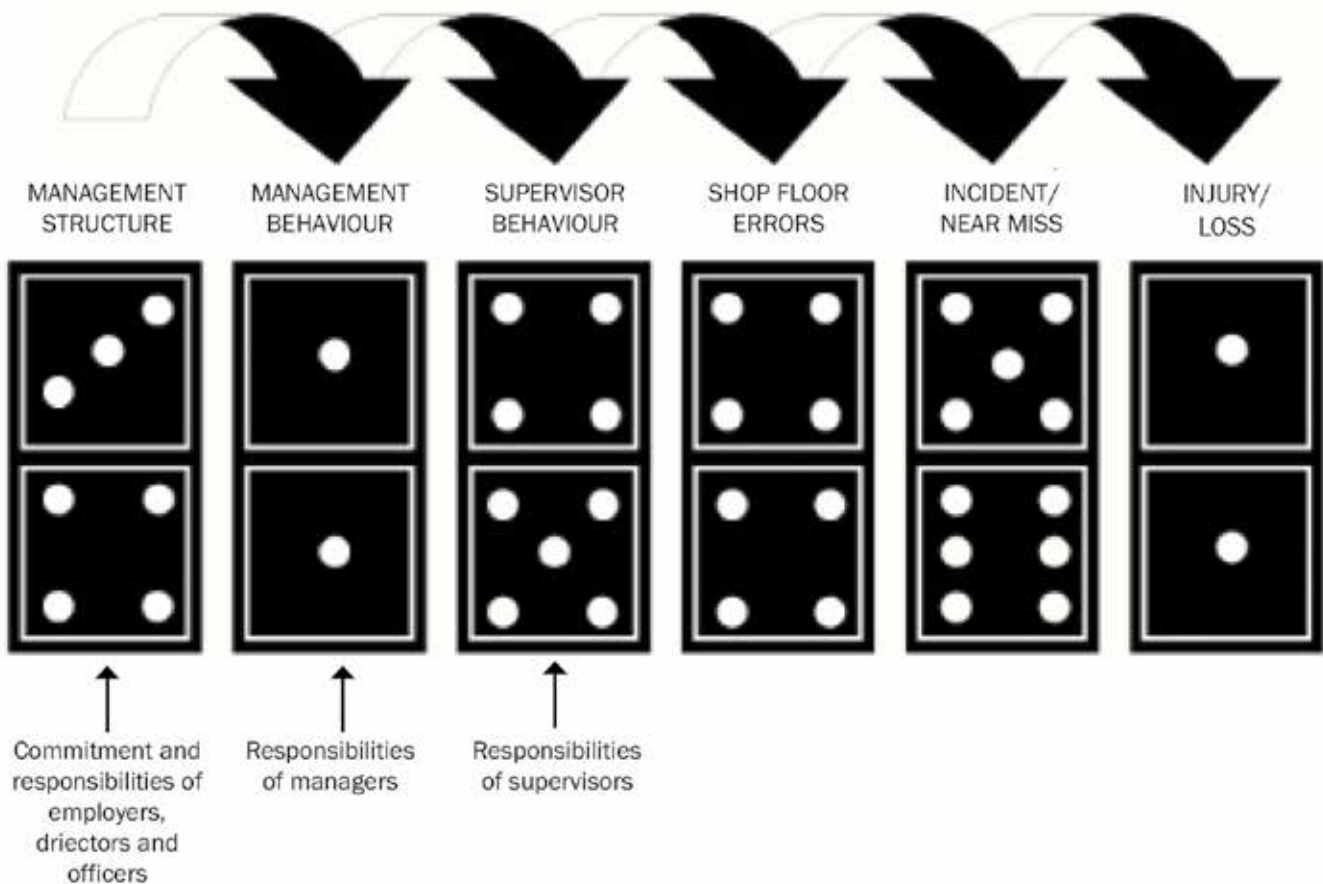


¹ Total Quality Safety Management — An Introduction. American Society of Safety Engineers, 1995. Adapted from: Incident Theory Part I by Peter Strahlendorf. Occupational Health and Safety Canada magazine, September/October 1995, (pp. 48-58). Southam Magazine and Information Group, Don Mills Ontario.

The Adams model suggests:

1. Failures in the senior management structure (i.e., carrying out employer health and safety responsibilities) produce an inadequate health and safety environment (root causes of incidents).
2. Structural failures lead to inadequate health and safety behaviour by middle management.
3. This causes inadequate health and safety performance by supervisors.
4. This creates unsafe activities and conditions at the worker level (direct causes).
5. Direct causes (shop-floor errors) lead to incidents or dangerous occurrences (near misses).
6. Incidents and dangerous occurrences produce human and economic loss.

The falling domino sequence



The dominoes can begin falling at any point. Example: Failures at the middle-management level can cause problems in supervisory behaviour, eventually leading to an incident or dangerous occurrence.

Management structure

The employer, directors, owners and senior officers:

1. Establish and communicate a commitment from the employer that health and safety is a top priority;
2. Set objectives to help the organization evaluate its program;
 - Establishing clear standards of performance;
 - Holding subordinates accountable for their performance; and
 - Setting rewards for effective performance;
3. Establish an effective system to implement the desired performance by:
 - Setting up an effective chain of command;
 - Providing adequate operating authority and responsibility;
 - Providing adequate delegation of responsibility; and
 - Hiring and training competent staff; and
4. Establish a policy/system to ensure the workplace is designed and maintained properly by:
 - Properly engineering operations, workplace layout and production (e.g., suitable ergonomics, lighting, ventilation, temperature control);
 - Considering health and safety in equipment purchasing and general procurement;
 - Implementing effective training programs;
 - Involving workers in program development through the OHC or representative;
 - Establishing an effective OHC or designating a capable representative;
 - Providing a work environment free of harassment; and
 - Knowing and complying with the legislation.

Accountability is proportional to responsibility. The employer ultimately is responsible and accountable for health and safety.

Management behaviour

1. Management behaviour refers to the role of middle management in allocating adequate resources for health and safety. Management is also responsible for ensuring that supervisors carry out their duties. Managers can help the employer establish a health and safety culture by:
 - Following the policies of the employer and ensuring supervisors also follow them;
 - Establishing goals that will help implement the employer's policies and programs in the workplace;
 - Developing and enforcing safe and healthy work procedures;
 - Allocating adequate resources for health and safety;
 - Ensuring supervisors are selected and trained properly in their responsibilities;
 - Providing supervisors with the authority and responsibility for health and safety;
 - Holding supervisors accountable for their performance;
 - Ensuring there are enough supervisors to supervise workers effectively and control hazards;
 - Assisting the OHC to carry out its duties effectively;
 - Knowing and complying with the legislation; and
 - Scheduling with safety in mind (e.g., shifts and work processes).
2. As representatives of the employer, the law holds managers and supervisors accountable for their health and safety actions. Sometimes, someone with a higher responsibility fails to carry out a duty. Under the legislation, this does not relieve others of their duties.

Supervisor behaviour

1. In the legislation, a supervisor is a person who is authorized by an employer to oversee or direct the work of other workers. While supervisors have all of the rights and duties of workers, they also share some of the employer's responsibilities.
2. Supervisors are critical to effective health and safety practices. Supervisors can help the employer keep the workplace healthy and safe by:
 - Taking training in their health and safety duties and responsibilities;
 - Establishing goals that implement the employer's program in the workplace;
 - Setting an example by working and acting safely;
 - Following the policy of the employer and ensuring workers also follow it;

- Allocating adequate resources for health and safety;
- Conducting regular inspections, group meetings and other health and safety activities;
- Ensuring workers are properly trained;
- Coaching workers in health and safety;
- Establishing and enforcing safe work procedures, rules and practices;
- Providing workers with the necessary authority and responsibility for health and safety;
- Holding workers accountable for their performance;
- Identifying the reasons for incidents, dangerous occurrences and other departures from safe practices and taking corrective action;
- Responding to workers' concerns promptly and creating an environment where workers are encouraged to bring concerns forward;
- Cooperating with the OHC;
- Knowing and complying with legislation; and
- Ensuring the workers are not exposed to harassment at their workplace.

Shop floor errors

Shop floor errors refer to unsafe acts and conditions that directly cause incidents and dangerous occurrences. Shop floor errors are usually at the worker level, but can involve self-employed persons and others. While shop floor errors often arise because of systemic failures in the WRS, they are sometimes caused by the behaviour or decisions of those performing the job. The WRS can control many aspects of worker behaviour, but it cannot control all behaviour.

Incident/dangerous occurrence

The terms accident and incident are often used interchangeably, but the preferred term is incident. It is Mission: Zero's campaign that all incidents are predictable and as such preventable. Therefore, there is no such thing as accidents, only incidents.

Incidents cause injury or illness and often result in property loss. The seriousness of the loss and injury is often a matter of chance.

Incidents and dangerous occurrences often have several causes. Several things go wrong at once. Each error can be traced to a variety of root causes. Example: An employer may have no health and safety policy, or the policy may have inadequate standards. Supervisors may tolerate unsafe conditions and work practices. Workers may not report hazards and cut corners to increase production. When something goes wrong, the causes can usually be traced back through each domino in the chain of command.

While the employer usually controls the root causes, workers and supervisors often control the direct causes. To significantly improve the health and safety system and prevent the dominoes from falling, everyone must work together. This is why occupational health and safety is important to everyone and why employers and workers need each other's help to prevent incidents. Incident prevention starts with an effective WRS for occupational health and safety.

The WRS for occupational health and safety

SEA, Part III, Occupational Health and Safety, supports every worker's right to a safe and healthy workplace. The duty for creating and maintaining a healthy and safe workplace falls on every person in the workplace to the degree they have the authority and ability to do so. Whether they are the CEO or the newest worker hired, everyone has a personal and shared responsibility for working together to prevent occupational injuries and illnesses.

Because employers have the greatest degree of control over the workplace, they also have the greatest degree of legal responsibility for health and safety. But, this does not relieve supervisors and workers from their duty to cooperate in controlling workplace hazards and to take the necessary precautions to protect themselves and others from hazards.

The SEA also recognizes that only workers who are informed adequately and empowered can fulfill their responsibilities effectively. The SEA grants three important rights to workers:

1. *The right to know* about workplace hazards, including how to identify hazards and protect themselves from those hazards, and about the rights they have under the SEA.
2. *The right to participate* in OHS decisions through consultation with OHCs, free of reprisal for their participation.
3. *The right to refuse* unusually dangerous work.

The SEA protects these rights by prohibiting employers from imposing discipline or other sanctions on workers for fulfilling their responsibilities or exercising their rights. Workers participate on a more even footing with employers and supervisors to prevent workplace injuries and illness.

Taken together, these components are the WRS for occupational health and safety. But, good health and safety cannot rely on the WRS alone. Ongoing monitoring and enforcement by OHS Division are also required.

The WRS sets up a system of workplace checks and balances that enable workers, supervisors and employers to integrate the best possible health and safety practices into daily activities. The combination of internal monitoring by OHCs and external monitoring and enforcement by OHS Division ensures legislative compliance and an effective WRS.

What is the goal of a WRS?

The goal of a WRS is to get people working together to identify and control situations (hazards) that may cause harm. Its ultimate objective is to ensure everyone integrates health and safety into their work. OHCs and representatives help workers and employers communicate and work together to identify and control hazards.

Workplace responsibility has many advantages:

- It places responsibility for controlling hazards on those in the workplace, making everyone a contributor to workplace health and safety.
- It applies everyone's knowledge to improve health and safety.
- It is better suited to developing solutions for each workplace than traditional government-driven command-and-control systems.
- It encourages employers and workers to take joint action in identifying and controlling hazards through co-management of health and safety.
- If properly handled, it promotes cooperation and motivates everyone to protect their health and safety and that of their fellow workers.

What is the philosophy of workplace responsibility?

Workplace responsibility recognizes that employers have a legal and moral duty to provide a healthy and safe workplace. Worker participation is crucial to effective health and safety because only worker participation allows hazards to be identified and controlled properly. The philosophy of workplace responsibility is based on:

- Personal responsibility;
- Inclusiveness;
- Cooperation;
- Sharing of information; and
- Accountability.

Personal responsibility

Each individual is responsible for integrating health and safety into work life. Health and safety is everyone's responsibility. The OHC is not the WRS – it is the system's auditor.

Inclusiveness

Everyone is involved in the WRS, both as individuals and as members of a group (i.e., workers, managers and OHC members). Shared responsibilities complement each other.

Cooperation

Everyone’s objective should be the same — to improve health and safety. Workers and employers are expected to work together to identify and resolve health and safety problems. The OHC functions as a health and safety *team*. Differences of opinion and position are expected. But, if the approach taken is unduly confrontational or uncooperative, then the OHC may not be effective.

Sharing of information (the right to know)

Everyone has a right to receive information needed to identify and control workplace hazards. Information is needed before each person can assume responsibility for health and safety. Good information is particularly important for OHC members.

Accountability

Our responsibility for maintaining workplace health and safety comes with our right to a healthy and safe workplace. Everyone is accountable (as an individual) to carry out their responsibilities. The greater the authority, the greater the accountability. An effective WRS requires competent management and supervision, workers who work and act safely and an effective OHC.

What are the components of an effective WRS?

The outer ring represents the external auditing function of occupational health officers (OHOs), or the OHS Division. OHOs monitor the effectiveness of the WRS and help correct deficiencies through education, assistance and enforcement.

The inner ring represents the role of the OHC as an internal auditor of the WRS.

The small circles represent the duties and rights of those in the workplace and the role they play in maintaining the WRS. These rings support and complement each other.

| Workplace responsibility for health and safety | | | | |
|---|--|--|--|--|
| Responsibilities | Workers | Supervisors | Managers | Employer |
| For work | Perform job | Assign tasks and schedule work | Determine objectives | Establish goals and objectives |
| For people | Assist helpers/new hires | Train new hires | Select and develop supervisors | Establish hiring policies. Select and develop managers |
| For work performance | Use training, knowledge and skills to perform work | Specify who does what and assign authority | Assign jobs to supervisors, and delegate authority | Determine who does what and delegate authority |
| For direction of work | Follow safe work practices and cooperate with supervisor | Follow safety policies and programs | Implement safety policies and programs | Establish safety policies, programs and procedures |

| Workplace responsibility for health and safety | | | | |
|---|---|---|---|--|
| Responsibilities | Workers | Supervisors | Managers | Employer |
| For relations with people | Follow policies, programs and procedures | Coordinate implementation of programs, policies and procedures on shop floor | Implement policies. Conduct daily business in compliance with employer's policies and legislation | Determine policies, procedures and programs and ensure compliance |
| For facilities and equipment | Safely use tools, equipment and machinery | Provide adequate tools, equipment and machinery | Provide supervisors with adequate resources | Authorize expenditures and assign adequate resources to managers |
| For conditions of work | Implement and maintain standards. Cooperate with OHC | Implement standards and train workers. Cooperate with OHC | Help employer develop standards. Train supervisors to implement standards. Help OHC to be effective | Determine health and safety philosophy and policies. Maintain effectiveness of OHC |
| For accountability | Inspect tools and equipment. Report hazards to supervisor | Inspect work areas, tools, equipment and machinery. Report problems to managers and recommend solutions | Develop effective solutions to problems. Accountable to employer for operations | Account to directors and society for safe operation of work |

Direct responsibility for occupational health and safety

The SEA and regulations assign duties for the control of workplace hazards to those people who are directly responsible for:

- The organization of work;
- The design of the work process; and
- The manner and conditions under which work is performed.

Employers, supervisors and workers all have responsibilities for:

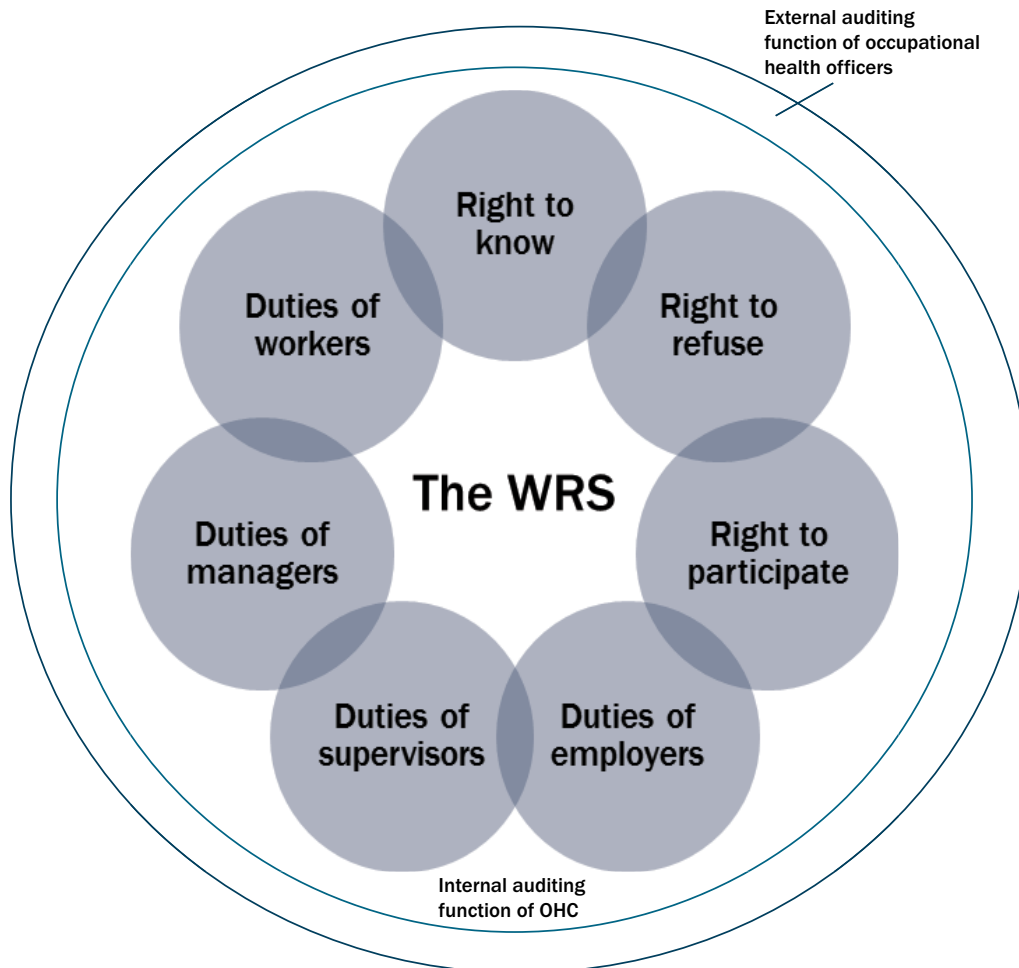
- The identification of hazards;
- Analysis of the risks posed by those hazards;
- Communication of information throughout the workplace about the risks; and
- Control of those risks.

Employers have the broadest responsibilities and cover all areas of health and safety in the organization. Usually, managers are responsible for the health and safety of all workers who report to them. Supervisors are responsible for the health and safety of their workers in all areas where they work. Workers are responsible for protecting their health and safety and helping supervisors ensure the safety of their work areas, tools, equipment and machinery.

Others with direct responsibilities include:

- Self-employed persons (including consultants);
- Contractors (someone who directs the activities of one or more self-employed persons or employers);
- Prime contractors at certain multi-employer work sites;
- Owners; and
- Suppliers.

Legislated duties of employers, supervisors and workers in the WRS



| Employers | Supervisors | Workers |
|---|---|---|
| <ul style="list-style-type: none"> • Provide safe and healthy workplace • Establish OHC or designate representative and ensure OHC or representative is effective • Consult and cooperate with OHC or representative • Provide information and training needed to protect the health and safety of workers • Ensure OHC members or representative obtain training in their duties • Ensure supervisors are competent and that they provide competent and sufficient supervision • Arrange for regular examination of workplace, tools and equipment to ensure safety • Ensure tools, machinery and equipment are properly maintained • Ensure workers are not exposed to harassment • Enable OHC or representative to inspect the workplace regularly • Promptly correct unsafe conditions and activities reported by OHC or representative • Ensure that OHC or representative investigates certain incidents and dangerous occurrences • Know and comply with health and safety requirements | <ul style="list-style-type: none"> • Supervisors are workers and bear all of the health and safety responsibilities assigned to workers - but also agents of employer and often assigned significant responsibility to carry out employer's duties under legislation • Ensure workers under their direction know and comply with health and safety requirements • Ensure workers under their direction receive adequate (sufficient) supervision • Cooperate with OHC or representative • Ensure workers under their direction are not exposed to harassment at their workplace • Know and comply with health and safety requirements | <ul style="list-style-type: none"> • Take reasonable care to protect their health and safety and that of other workers • Cooperate with employers, supervisors, OHC and representatives. • Use safe work procedures, safeguards and personal protective equipment • Report hazards (unsafe situations and activities) to employer immediately • Refrain from harassment • Participate in training and health and safety meetings • Know and comply with health and safety requirements |

What is due diligence?

Legislation can't cover everything that can happen on the job. Sometimes you must take measures to protect your workers and service providers that go beyond the legislation - you must do your due diligence. You must provide a healthy and safe workplace, taking into account circumstances, risks, and opportunities for control. The SEA requires you to think, be engaged, be creative, plan ahead and do everything reasonably practicable to prevent incidents².

² SEA 3-1(1)(x): **Practicable** means possible, given current knowledge, technology and invention. SEA 3-1(1)(z): **Reasonably practicable** means practicable unless the person on whom a duty is placed can show that there is a gross disproportion between the benefit of the duty and the cost, in time, trouble and money.

Due diligence means a person has a legal duty to take every reasonable precaution in the circumstances to avoid harm and an offence against the law. It's a high standard to take reasonable care. In the context of the SEA and regulations, due diligence is reflected in the following principles:

1. **General duties.** The SEA imposes a duty on everyone in the workplace to take reasonable care of their health and safety and that of others to the degree that they have the authority and ability to do so. This general duty is in addition to, and goes far beyond, complying with the law.
2. **Regulatory compliance.** If someone is charged with contravening the legislation, they cannot defend themselves by saying that they did not intend to break the law or did not mean to fail to comply. To defend themselves adequately, they must be able to show that they took every reasonably practicable action to ensure compliance.
3. **Reasonably practicable.** One must show that they took every possible precaution, unless they can show that the benefits of taking the precaution are greatly exceeded by the cost in time, trouble and money. The greater the risk, the greater the health and safety measures required.
4. **Proactive.** Due diligence requires a proactive and systematic approach to health and safety. This standard can best be met within a workplace by establishing and implementing a health and safety program that:
 - Identifies hazards;
 - Assesses the risks associated with those hazards;
 - Implements measures to eliminate or minimize those risks; and
 - Monitors each part of the program to ensure that it is adequate and effective.

Employers must develop and implement this plan in consultation with their workers. Workers must comply with the program to the extent that they have the knowledge, authority and ability to do so.

For information about due diligence, these publications are available on www.saskatchewan.ca:

- [Elements of an Occupational Health and Safety Program](#)
- [Setting up an Occupational Health and Safety Program - A Guide](#)

What is shared responsibility for health and safety?

Responsibility can be shared among the workplace parties, such as the employers, supervisors and contractors.

**Regulation 5, Generality of duties not limited**

- (5) Where a provision of these regulations imposes a duty or requirement on more than one person, the duty or requirement is meant to be imposed primarily on the person with the greatest degree of control over the matters that are the subject of the duty or requirement.
- (6) Notwithstanding subsection (5) but subject to subsection (8), if the person with the greatest degree of control fails to comply with a provision described in subsection (5), the other persons are not relieved of the obligation to comply with the provision if it is possible for them to comply, and they shall comply with the provision.
- (7) If the person with the greatest degree of control complies with a provision described in subsection (5), the other persons are relieved of the obligation to comply with the provision:
 - (a) only for the time in which the person with the greatest degree of control is in compliance with the provision;
 - (b) only if simultaneous compliance by more than one person would result in unnecessary duplication of effort and expense; and
 - (c) only if the health and safety of workers is not put at risk by compliance by only one person.
- (8) If the person with the greatest degree of control fails to comply with a provision described in subsection (5) but one of the other persons complies with the provision, the other persons, if any, to whom the provision applies are relieved of the obligation to comply with the provision in the circumstances set out in clauses (7)(a) to (c), with any necessary modification.
- (9) Where a provision of these regulations imposes a duty or requirement on a person to ensure that another person carries out or refrains from carrying out a specified action, the person on whom the duty or requirement is placed has complied with the provision if that person establishes that he or she took all reasonable steps to ensure that the second person carried out or refrained from carrying out the specified act.

The person with the greatest degree of control over the situation has the greatest responsibility. Employers exercise the greatest degree of control over the organization of work, the design of the work process and the manner and conditions under which work is performed. The employer has the greatest degree of moral and legal responsibility for providing a healthy and safe workplace. However, supervisors and workers must help the employer maintain that healthy and safe workplace.

Critical role of OHCs in the WRS

OHCs have been required in all workplaces with ten or more workers since 1972³. Now, smaller, high-hazard workplaces must have a worker representative.

Employers have a duty to consult and cooperate with the OHC or the representative for the purpose of resolving concerns on matters of health, safety and welfare at work.

OHS Division interprets *consult* to mean that, while not obliged to obtain the approval or permission of the representative, an employer is obliged to consider, in good faith, the views and opinions of the OHC or representatives in the decision-making process.

To fulfill the obligation to consult in good faith, an employer must give the OHC or representative a real opportunity:

- To be informed of information essential to making a reasonable and informed assessment;
- To review and assess the information and possible alternatives or options;
- To comment and/or make recommendations on the possible options and alternatives; and
- To be considered. The employer will consider the recommendations of the OHC or representative and, where applicable, give the OHC or representative credible reasons for not accepting or implementing the recommendations.

OHCs and representatives don't have direct responsibility (or the legal liability) for controlling hazards. Their role is to monitor the WRS and ensure it is working properly. They have no management authority. Their role is to advise and recommend.

Effective OHCs and representatives are essential to creating the workplace partnership needed to protect workers' health and safety effectively. By consulting with OHCs, representatives and workers, employers benefit from workers' expertise in detecting occupational health and safety hazards and developing practical approaches to controlling those hazards.

The OHC and representative are the mechanism for bringing health and safety concerns into the open and focusing attention on them until they are resolved. They serve as a check on the potential for some employers and supervisors to ignore or minimize their health and safety responsibilities.

OHCs and representatives shine a spotlight on weaknesses in the WRS and recommend ways of correcting those weaknesses. They provide a bridge to the external responsibility system when assistance and advice are needed.

OHCs and representatives must do more than simply help the employer correct unsafe acts and conditions. They should look at the root causes for hazards (e.g., policies, training or workplace layout) and help the employer resolve them.

³ SEA 3-23 grants OHS Division the authority to order an employer or contractor to establish an OHC in a workplace where there are less than ten workers if they believe that the establishing of an OHC will benefit the health and safety of the workers.

What are the major responsibilities of OHCs?

Major responsibilities include:

- Participate in the identification and control of hazards;
- Helping identify and resolve health and safety concerns of workers;
- Receive and distribute information, including publications sent from OHS Division to employers and workers;
- Inspect the workplace regularly;
- Meet regularly to discuss occupational health and safety concerns;
- Maintain records of meetings;
- Investigate certain incidents and dangerous occurrences;
- Help establish and promote health and safety programs and policies;
- Help develop and promote health and safety training;
- Investigate refusals to work under SEA 3-31; and
- Carry out responsibilities set by specific regulations.

If the OHC does not deal with a problem, the employer is responsible for taking the initiative.

Role of the legislation in supporting workplace responsibility

Saskatchewan health and safety legislation consists of an act, regulations and codes of practice.

Part III of the SEA:

- Sets out general duties for health and safety;
- States what to do by setting out the rights and responsibilities of everyone in the workplace;
- Establishes a framework for sharing responsibility and identifying and controlling hazards; and
- Provides an enforcement mechanism and penalties for non-compliance.

Radiation safety is now Part V of the SEA and sets out duties for protecting workers from radiation and equipment giving off radiation.

Regulations expand on and state how to meet duties set out by an act. *Example:* The SEA requires employers in certain industries to have a health and safety program (section 3-20). The Occupational Health and Safety Regulations spell out what must be in the program (regulation 22). The Appendix to the regulations lists those workplaces requiring programs (Table 7). The Mines Regulations set standards for the Saskatchewan mining industry. The Radiation Health and Safety Regulations set standards for meeting duties set out in Part V of the SEA.

Codes of practice advise employers how to comply with parts of the regulations. *Example:* OHS Division has published codes to help employers comply with requirements for protecting fire fighters and providing safe and healthy computer workstations (e.g., video display units).

The legislation helps those in the workplace establish and maintain healthy and safe working conditions by:

- Ensuring societal expectations are reflected in workplace behaviour and practices;
- Providing a way of protecting the health and safety of workers;
- Supporting the workplace responsibility system;
- Providing employers and workers with information and tools to carry out their health and safety responsibilities; and
- Ensuring safety-conscious, responsible employers are not at a competitive disadvantage to employers who are less so.

Role of OHS Division

OHS Division's fundamental objective is to prevent work-related injuries and illnesses. It assists OHCs and representatives, workers, supervisors and employers to understand and carry out their responsibility for workplace hazard control.

Ensuring compliance is the most important responsibility of OHOs. However, OHS Division also helps ensure the workplace's WRS, OHC or representative is effective by providing assistance and advice.

OHOs, hygienists and other staff are responsible for over 40,000 workplaces. Many workplaces are complex and have a variety of hazards. Those hazards cannot be controlled solely through periodic government inspections. When OHOs find problems, it is a sign that the WRS is not working properly.

When the WRS is working properly, the enforcement role of OHOs lessens. Their role becomes one of consulting, advising and supporting the WRS.

Over the last 40 years, OHS Division has learned that effective OHCs are more effective in focusing attention on health and safety concerns than periodic inspections. Work-related injuries and illnesses can be prevented when workers understand their rights and responsibilities, and employers are genuinely committed to protecting the health and safety of their workers.

How does the WRS link up with OHS Division?

1. Routine inspections. When an OHO visits the workplace, a member of the OHC or representative should accompany the OHO. The OHC member or representative can ask the OHO for advice about concerns at the workplace. In turn, the OHO provides the OHC with a report on the results of the inspection.
2. Complaints. Anyone can [contact OHS Division](#) for assistance and advice if the WRS has not dealt with a concern effectively. The legislation protects those who call.

3. Refusals. A refusal is often a sign of a failure in the WRS. Prevent refusals by paying attention to job safety and to the concerns of workers.

Workers and supervisors often resolve refusals. The OHC resolves some refusals. During a refusal to work, contact OHS Division if the matter has not been dropped or resolved, the refusing worker is not satisfied with the OHC's decision, or the OHC cannot agree. In such cases, an OHO must investigate and make a ruling. The worker may continue the refusal until the OHO rules. The OHO will provide a written decision to the refusing worker, each co-chair and the employer. SEA, Part III, Division 8 allows anyone directly affected by an OHO's decision to appeal it to OHS Division. The appeal does not suspend the operation of the OHO's decision.

4. Investigations. Employers must notify OHS Division about incidents and dangerous occurrences set out in the regulations. If an OHO investigates, the OHC or representative has an opportunity to inform the OHO about concerns. The OHO will provide a report to the employer and OHC or representative.
5. Failure of the OHC. If the OHC cannot function effectively, an OHO should be asked for help. A dysfunctional OHC is a sign of deeper problems with the WRS. An OHO may intervene.
6. Disputes. An OHO may intervene to resolve conflict in the OHC. If necessary, an OHO can issue a notice of contravention, requiring the employer (or anyone else covered by the legislation) to take corrective action.

Review

Occupational health and safety includes physical and mental health factors, as well as social well being. The goal of an effective WRS is to get everyone involved in identifying and controlling hazards before they harm a worker. Worker involvement through OHCs or representatives is crucial in making this happen.

Modern incident theory suggests that fundamental failures in the workplace cause most incidents. When something goes wrong, problems can be found at every level in the chain of command. While the employer often controls the root causes, workers and supervisors control the direct causes for incidents. In order to control both root and direct causes, employers and workers must work together within the WRS.

Under the WRS everyone has responsibilities and accountabilities for occupational health and safety. The degree of accountability is proportional to the degree of responsibility. While the employer retains ultimate control, only worker participation is effective in systematically identifying and controlling hazards. OHCs and representatives perform a critical function by serving as means of communication and cooperation between the employer, workers and OHS Division.

Legislation sets up a framework to support the WRS and maintain fundamental health and safety standards within the workplace. OHOs monitor the effectiveness of each organization's WRS and provide assistance and advice. Enforcement of the legislation is a last resort.

Chapter 2: Identifying, assessing and controlling hazards

- Definitions
- Principles of hazard identification, assessment and control
- Identifying and assessing health hazards
- Identifying and assessing safety hazards
- Controlling hazards

Introduction

Helping the employer to identify, assess and control hazards is one of the most important functions of your OHC. This chapter discusses how your OHC can help the employer protect the health and safety of workers within the WRS. We will begin by defining a few important terms.

Definitions

What is a hazard?

A hazard is any activity, situation or substance that can cause harm. Occupational hazards are divided into two broad categories: (1) health hazards, and (2) safety hazards. Generally, health hazards cause occupational illnesses, such as noise induced hearing loss (NIHL). Safety hazards cause physical harm, such as cuts and broken bones. Hazards exist in all workplaces.

What is an occupational illness?

Occupational illnesses are caused by health hazards. An occupational illness is a condition that results from exposure to a chemical or biological substance, a physical agent (an energy source such as noise) or other stressors (such as harassment and work demands) capable of causing harm. The time that it takes an illness to develop after exposure to a health hazard is called the “latency period”.

What is probability?

Probability is the chance that a hazard will cause harm. In risk management systems, probability is sometimes categorized as:

- Frequent (workers are frequently at risk);
- Probable (the hazard is likely to cause harm);
- Occasional (workers are occasionally at risk);
- Remote (the hazard could cause harm, but is very unlikely to do so); and
- Improbable (the hazard is unlikely to ever cause harm).

What is severity?

Severity is the seriousness of the harm that could result from contact with a hazard. Sometimes, it is described as:

- Catastrophic (death and/or severe destruction);
- Critical (serious injury and/or property damage);
- Marginal (minor injury and/or property damage); or
- Negligible (no injury and/or property damage).

What is a risk?

Risk describes the odds that a hazard will cause harm. It refers to the probability and severity of potential incidents and dangerous occurrences (near misses). Risk management is a technique used to identify and control risk caused by hazards.

What is risk analysis?

The combination of identifying hazards and assessing their risk is called risk analysis. Risk analysis can help OHC members and the employer to set priorities. Risk is calculated by using the formula:

$$\text{Risk} = \text{Probability} \times \text{Severity}$$

Several commercial systems assign mathematical values to probability and severity to help calculate risk ratios for hazards. Normally, hazards with the highest risk that affect the most workers should receive the greatest attention.

Principles of hazard identification, assessment and control

The health and safety of workers depends on the OHC, employer and workers working together to identify, assess and control hazards. This does not mean that the OHC must be involved in everything.

Ideally, the WRS should prevent a hazard from becoming a concern. The OHC audits the WRS and helps the employer keep it functioning properly. However, if a hazard is reported to the OHC, the OHC must act. Use the following steps to identify, assess and control hazards:

1. Collect information about hazards and potential hazards.
2. Assess the risk and set priorities.
3. Communicate information about the hazards and risks.
4. Develop, select and implement controls and monitor their effectiveness.

Collect information

Collect information from sources:

- Workers, supervisors and managers. Workers often know, or suspect, what hazards exist and where they are located.
- Associations. Many provide training and can recommend appropriate publications from the [Canadian Centre for Occupational Health and Safety](#), the [National Safety Council](#) and others.
- Suppliers and manufacturers. Equipment manuals, user guides and hazard warnings are a first line of defense.
- Occupational health officers. OHOs can provide technical advice.
- Legislation. The regulations and related codes of practice are excellent guides to identifying and controlling hazards⁴.
- Unions. Many unions provide health and safety training and information about hazards to their members.

Assess the risk and set priorities

Once a hazard is identified, the OHC helps the employer determine risk. Assessment may involve research and monitoring. Example: Suppose a noise hazard is discovered. The next step would be to use monitoring equipment (i.e., noise metres) to find out how loud the noise is, where and when the noise is a problem, how long the noise is at an unacceptable level and so on.

Look for any factors that could contribute to the hazard. Example, consider work processes, work process design, existing hazard controls or related training. In the case of a noise hazard, the problem may be made worse by things like metal-on-metal contact, equipment vibration or inadequate work practices.

Assess the risk posed by each hazard. Ask these questions:

- How likely is the hazard to cause harm?
- Under what conditions is harm likely to occur?
- How quickly could an unsafe condition arise?
- What type of harm is involved?
- How many workers could be hurt?
- Does the hazard have a history of problems, incidents or dangerous occurrences?
- What monitoring is needed to evaluate the risk?

⁴ Codes of practice are not legislation. They provide advice on compliance to specific parts of the regulations. Example: OHS Division released a code on how to meet safety requirements for fire fighters set out in the regulations (Part XXXII, Additional Protection for Fire Fighters).

Set priorities by using the risk formula on page 24. Consider factors such as the limits of technology, fiscal resources and potential problems raised by hazard controls. The following table illustrates one way of assigning probability and severity values. Adapt it to suit your needs.

| Hazard priority chart for Jack and Jill’s workplace | | |
|---|--|---|
| Probability factors are ranked in order of importance: 1. <i>Frequent</i> (workers frequently at risk) 2. <i>Probable</i> (hazard likely to cause harm) 3. <i>Occasional</i> (workers occasionally at risk) 4. <i>Remote</i> (hazard could cause harm, but very unlikely to do so) 5. <i>Improbable</i> (hazard unlikely to ever cause harm) | Severity factors are ranked in order of importance: 1. <i>Catastrophic</i> (death or severe destruction) 2. <i>Critical</i> (serious injury or property damage) 3. <i>Marginal</i> (minor injury or property damage) 4. <i>Negligible</i> (no injury or property damage) | Risk = Probability x Severity • Compare probability and severity to set priorities |

| Hazard | Probability | Severity | Overall priority | Consequences |
|--|--------------------|-----------------|-------------------------|---|
| Cutting up scrapped bulk gasoline tanks • May contain explosive vapours | Frequent | Catastrophic | 1 st | • Gas stations replace tanks frequently for environmental reasons • Presents a fire and explosion hazard that could cause serious injury to workers and destroy workplace |
| Malfunctioning guard on metal shearing press on every shift | Probable | Critical | 2 nd | • Press used during all shifts • Operator’s fingers can be in danger zone when guard malfunctions • Amputation • Incident probable due to length of exposure to hazard |
| Improper disposal for used needles in medical room | Occasional | Critical | 3 rd | • Container handled occasionally • Staff nurse and 2 EMTs could be exposed to puncture wounds and serious infections |
| Staff moving office furniture and file cabinets | Remote | Marginal | 4 th | • Rarely happens • Safety officer sprained wrist last month while moving file cabinet • Hire movers next time |
| Water supply stored in large underground tank outside workplace | Improbable | Negligible | 5 th | • Tank serviced by supplier • Workers don’t work in or near water tank • Tank will drain into sewer if ruptured |

Communicate information

Workers must know about hazards in the workplace in order to protect themselves. Communicating hazard information to workers and the employer is one of the most important functions of an OHC or representative.

OHCs can help the employer communicate hazard information:

- Post information such as meeting minutes, inspection results, workplace monitoring summaries, investigations, warning signs and hazard labels.
- Help the employer to provide health and safety information to supervisors. Supervisors can provide it to their workers.
- Discuss hazards with workers, supervisors and managers.
- Hold meetings to discuss concerns.
- Help the employer arrange worker training and education.
- Help the employer to keep containers for chemical and biological substances labeled properly.
- Help the employer keep safety data sheets (SDSs) current, centrally located and readily available to workers.
- Inform workers who raise concerns about an investigation status.

Develop, select and implement controls

Risk assessment is meaningless unless effective controls are developed and implemented. Control means removing the hazard or reducing its risk of harm to an acceptably safe level. An effective control must:

1. Adequately prevent the hazard from causing harm;
2. Protect everyone who could be harmed by the hazard;
3. Not create new hazards or production and quality control problems (If it does, workers may be tempted to subvert it); and
4. Not create a hazard to the environment or public outside of the workplace.

Identifying and assessing health hazards

A health hazard is any agent, situation or condition that can cause an occupational illness. There are five types:

1. Chemical hazards, such as battery acid and solvents.
2. Biological hazards, such as bacteria, viruses, dusts and moulds. Biological hazards are often called biohazards.
3. Physical agents (energy sources) strong enough to harm the body, such as electric currents, heat, light, vibration, noise and radiation.

4. Work design (ergonomic) hazards.
 5. Workplace stress. In this publication, this is restricted to violence and harassment as defined under the SEA and explained in regulation 36 and violence (regulation 37).

A health hazard may produce serious and immediate (acute) affects or it may cause long-term (chronic) problems. All or part of the body may be affected. Someone with an occupational illness may not recognize the symptoms immediately. Example: Noise-induced hearing loss is often difficult to detect until it is advanced.

Identifying health hazards

1. Prepare a list of known health hazards in the workplace.
2. Review floor plans and work process diagrams to identify hazard sources and locations.
3. Interview workers, supervisors and managers to identify known and suspected health hazards not on the list.
4. Use your five senses.

The regulations cover general health requirements, including how to identify, assess and control health hazards.

Prepare a list of known health hazards in the workplace

Help the employer prepare a current list of chemical and biological substances, physical agents, work design hazards, and potential harassment and violence problems at the workplace. The employer is expected to provide the OHC with a copy of existing lists of chemical and biological substances. To prepare or update a list:

- Check current product labels and SDSs. Each chemical and biological substance controlled under the [Workplace Hazardous Materials Information System](#) (WHMIS) in the workplace must have appropriate container labels. SDSs must be readily available to the OHC and workers. Look at container labels and SDSs for hazard warnings and symbols (e.g., the skull and cross bones). Identify substances controlled under WHMIS and products exempted from WHMIS but of concern to workers (e.g., pesticides).
- Conduct inspections to identify defects, such as substance containers and pipes that are not labeled properly.
- Read inspection and incident reports, complaint files, shop plans, first-aid registers, product literature and other documents.
- Monitor the workplace (measure noise, temperatures, concentrations of airborne chemicals, etc.). The employer must provide the OHC with the results of any measurements of biological and chemical substances taken in the workplace.

Review floor plans and work process diagrams

Floor plans may show that certain points in the production line release chemicals into the air. Place monitoring equipment at these locations to determine what hazardous substances are present and in what quantities. Check for work design problems that may cause back injury and other ergonomic hazards. Look for tasks associated with incidents, complaints and ill health.

Interview workers, supervisors and managers

Interview workers, supervisors and managers during inspections. Ask them what hazards they work with and what work-related health problems they know about or suspect. Deal with the concerns of workers at any time, not just during inspections. Talk to the vendor or supplier if you need more information about a specific product, tool or piece of equipment. [Contact OHS Division](#) if you need more information about or suspect hazards.

Use your five senses

You can detect some substances and physical agents with your five senses. Example: Dusts and fumes sometimes form a haze. Vibration and temperature can be felt. An abnormal taste may be a sign of airborne chemicals. Some substances have a distinct colour, visual appearance or odour.

Odour is a common warning property. Be careful to check the substance's odour threshold in the physical properties section of its SDS. Only use odour to detect a substance if it can be smelled at levels below hazardous concentrations.

Unfortunately, many hazardous agents and conditions cannot be detected with the senses. Others, such as hydrogen sulfide (H₂S) gas, are often dangerous when strong enough to be detected in this way. Using your senses is not always a safe way of detecting hazards.

How can health hazards be assessed?

Once you've identified a health hazard, assess the risk it poses to workers. OHCs can help the employer do this by monitoring exposure levels to determine the probability and severity of any potential exposure.

There are many different monitors for detecting and assessing health hazards. Air monitors sample the work environment at specific places for specific chemical hazards. Other monitors measure the levels of noise or vibration. OHCs can get advice on how to use monitors from the supplier. Advice on how to interpret monitoring results can be obtained from consultants and agencies.

Chemical hazards

If possible, use monitoring equipment to determine exactly what the exposure levels for health hazards are in the workplace and at workstations. Different hazards require different monitoring techniques and equipment. The employer may decide to bring in experts to do the monitoring. If so, the OHC or representative has a right to be involved and informed of the results.



Quick health hazard identification checklist

- What chemical substances are produced, used, handled, stored in or shipped to the workplace?
- Are any vapours, gases, dusts, mists or fumes present (including chemical by-products of work processes)?
- Are biological substances (such as bacteria, viruses, parasites, dusts, moulds and fungi) present in the workplace, the ventilation systems and other components of the physical plant?
- Are physical agents present (energy sources strong enough to harm the body, such as electric currents, heat, light, vibration, noise and radiation)?
- Are temperature extremes present?
- Do ergonomic hazards exist (work requiring lifting, awkward posture, repetitive motions, excessive muscular force or computer use)?
- Could any work processes, tools or equipment cause health hazards (back injuries, soft tissue injuries, whole body vibration, hearing loss, infections)?
- Could departures from safe work practices cause illnesses?
- Can any potential health hazards be detected with the senses (smell, taste, touch, hearing, sight)?
- Is harassment present in the workplace?
- Are there any complaints from workers about workplace related health problems?

Once an exposure level is determined, compare it with standards set by the organization, industry and legislation. Review SDSs, as well as industry and product literature for advice. (See Table 21 of the Appendix to the regulations for chemical contamination limits.)

Biological hazards

Monitoring detects some biological hazards. The risk of catching an illness can be assessed by applying knowledge of the disease involved, including how it spreads and infects people. Biological safety data sheets provide useful information, such as survival characteristics of the microorganism outside of the body, how it is transmitted and how likely workers are to contract the disease.

Physical health hazards

Physical health hazards are sources of energy strong enough to cause harm, including noise, vibration, heat or cold and radiation.

Noise – Common noise sources include equipment, work processes, compressors, ventilation systems and power tools. Generally, if ordinary conversation cannot be understood at normal distances, noise levels are too loud. Hazard identification techniques, such as inspections, monitoring and conversations with workers will detect noise concerns.

Vibration – Vibration is a rapid back and forth or up and down motion that may affect all or part of the body. It can gradually damage nerves and circulation systems in limbs and affect internal organs. Standard hazard identification techniques can detect what jobs and workers are exposed to vibration. Monitoring and assessing vibration usually requires technical specialists.

Heat and cold – The health effects of too much heat include heat cramps, heat exhaustion and heat stroke. Cold can produce frostbite and hypothermia. As well as causing serious health problems, heat and cold stress disorders reduce performance and increase the risk of incidents.

Regulations require the employer to maintain thermal conditions that are reasonable and appropriate for the work performed. If it is not reasonably practicable to adequately control indoor conditions, or where work is done outdoors, the employer must take effective measures to protect workers from heat and cold stress disorders.

The employer must provide suitable monitoring equipment if workers are concerned about thermal conditions. The assessment must consider factors such as temperature, humidity, airflow, wind and work levels.

Radiation – Radiation is made up of moving particles or waves of energy. It is divided into two groups: ionizing radiation and non-ionizing radiation.

Decaying radioactive elements emit *ionizing radiation*, like uranium. Use specialized monitoring equipment to measure and assess radiation exposures. Radiation workers are required to wear badges that measure the radiation dose they receive.

Non-ionizing radiation includes:

- Ultraviolet radiation from sun lamps and welding equipment. Ultraviolet radiation can burn the skin and cause eye damage;
- Infrared radiation (radiated heat) used in cooking and warming equipment in food processing and industrial packaging;
- Lasers producing concentrated beams of light used in a variety of commercial, medical and industrial purposes. Care must be taken to ensure lasers are set up properly, adequately shielded and cannot damage the eyes or skin of workers;
- Microwave and high-radio frequency radiation used in cooking equipment, radar, and high-energy radio transmission and communications equipment. If not properly shielded, some equipment may injure the skin, eyes and other organs; and
- Long wave radiation used in radio and other communications equipment. Some equipment can heat the entire body.

Radiation hazard assessment is a specialized area. The SEA, Part V, Radiation Health and Safety and its regulations govern industries using radioactive substances and radiation emitting devices.

Physical demands (ergonomic hazards)

Hazards can exist in the design of the workplace, the workstation, tools and equipment, and the workflow. Ergonomics identifies and controls hazards by reducing the physical, environmental and mental stresses associated with a job. It does this by trying to balance the capabilities of the worker with the demands of the job. Ideally, the job should fit the person's mental, physical and psychological characteristics.

Common problems caused by work-design hazards include repetitive strain injuries (RSIs), cumulative trauma disorders (CTDs) and musculoskeletal injuries (MSIs), including back injuries. Ergonomic-related injuries are the fastest growing occupational health problem. Examine these factors when assessing ergonomic hazard risk:

1. The posture a worker must use to do the job (stooping, bending and crouching).

Example: In a static posture, such as when sitting or standing without a break, the muscles are held in a fixed position without movement. Over time, work requiring a static posture can cause health problems. Complaints of back, shoulder and neck pain can indicate static posture problems.

2. The muscular force (exertion) required (lifting, pulling, pushing, and twisting).

Muscular force describes the amount of force required to do the work. Consider the weight of the loads or tools involved, the fit of handgrips to the worker, the required force, the muscles used and the adequacy of work gloves provided.

3. The number of repetitive motions needed (frequency, speed, duration and position).

Doing the same job rapidly over and over again can cause injury. Jobs that must be repeated in less than 30 seconds, such as data entry, are classed as highly repetitive.

4. The physical condition of the person doing the job.

5. Vibration of all or part of the body such as when using jackhammers and chainsaws or when operating mobile equipment.

6. Work organization factors such as where, when and how the work is done and at what pace.

Poorly designed tasks can force workers to do too much too fast. This can increase stress and reduce work efficiency, increasing the risk of incidents.

7. Work environment problems including vibration, heat, cold and contaminants in the atmosphere.

These factors can interact, worsening the situation. A good rule of thumb is that the more awkward or static the posture required by a job, the more excessive the force needed to do the work; and the more repetitive the tasks, then the risk of injury will be greater.

Factors contributing to ergonomic problems can include:

1. Problems in the work environment (e.g., light, heat, cold, vibration), as well as the health of the worker can promote ergonomic health problems.
2. Lack of work variation during shifts can prevent workers from resting their muscles adequately.
3. Poorly shaped, heavy or vibrating hand tools can encourage workers to grip the tool too hard, reducing blood flow to muscles and increasing fatigue. Bulky or clumsy gloves can do the same thing.

Stress hazards

OHS legislation deals with stress hazards caused primarily by workplace harassment, violence and shift work.

Workplace harassment

Workplace harassment is defined in SEA 3-1(1)(l). Harassment may harm the health and well-being of victims. It can also interfere with efficiency and productivity. SEA 3-8(d) requires employers to not expose workers to harassment. Regulation 36 requires the employer to implement a policy to protect workers and lists what a policy statement must include. It must be developed with the OHC. The employer must put the policy into practice and post a copy in a conspicuous location in the workplace.

To assess the risk of harassment, the employer and OHC can:

- Check to ensure the harassment policy has been implemented;
- Check for signs the policy is not taken seriously; and
- Monitor for complaints or concerns from workers.

Violence

SEA 3-21 requires certain employers to develop and implement a written violence policy statement and prevention plan to protect workers. The affected employers are listed in regulation 37. Regulation 37.1 outlines additional safety measures for late-night retail premises where persons may work between the hours of 11:00 p.m. and 6:00 a.m. Statistics suggest that certain shift workers are more likely to encounter violent situations when working alone (e.g., workers in convenience stores and other workplaces that are open 24 hours).

Shift work and constant effort and exertion

Shift workers have irregular patterns of eating, sleeping, working and socializing that may lead to health and social problems. Shift work can reduce performance and attentiveness. This may increase the risk of incidents and injuries.

The employer and workers can work together to identify and control hazards. Cooperation is essential. Regulation 82 requires the employer to work with the OHC to:

1. Assess the risks to the worker's health and safety posed by the work; and
2. Inform the worker about the nature and extent of the risks and how to eliminate or reduce them.

The OHC should also be sensitive to stress caused by such things as workload or the pace of work. Remember to address only stress concerns relating to health and safety.

Identifying and assessing safety hazards

A safety hazard is anything that could cause an injury. Unlike the harm caused by many occupational illnesses, an injury caused by a safety hazard (i.e., cut or fracture) is usually obvious. Safety hazards cause harm when workplace controls are inadequate. Some examples of safety hazards include:

- Slipping/tripping hazards (e.g., electrical cords across floors);
- Fire and explosion hazards;
- Moving parts of machinery, tools and equipment (e.g., pinch and nip points);
- Working at heights (e.g., work done on scaffolds or ladders);
- Ejection of material (e.g., from moulding operations);
- Pressure systems (e.g., steam boilers and pipes);
- Vehicles (e.g., forklifts and trucks);
- Lifting and other manual handling operations;
- Materials falling from heights, rolling, shifting or caving-in;
- Unsafe use of explosives;
- Violence; and
- Hazards posed by working alone or in isolated workplaces.

Use standard identification methods on safety hazards. Your OHC can encourage the employer to have a job safety analysis (JSA) performed on each job. A JSA breaks down each job into its steps and analyzes the hazards present at each step. Product literature, industry publications and legislation are useful starting points for developing JSAs. Many health and safety publications contain examples of various formats for JSA forms as well as detailed instructions on how to perform a JSA.

Controlling hazards

Ideally, control hazards by applying modern management principles. Use a comprehensive, proactive system to control hazards rather than a reactive, piece-meal response to each concern as it arises.

To be proactive, an employer should:

- Establish a health and safety policy, in consultation with the OHC, to communicate to workers that the employer is committed to health and safety. Build health and safety into all aspects of the organization such as tendering, purchasing, hiring and so on. Ensure everyone understands health and safety is as important as any other area of the organization.
- Communicate the health and safety policy through the management structure. Ensure everyone understands his or her duties.
- Train managers, supervisors and workers to carry out their responsibilities under the policy.
- Equip managers and supervisors to apply modern management and supervisory practices in their safety responsibilities.
- Administer the policy in the same way that other policies are managed.

Example: Managing the safety of controlled products under WHMIS

When managing the safety of a controlled product under WHMIS, an employer should apply a comprehensive approach to control hazards.

1. Review chemical and biological substances in the workplace.
 - List all workplace chemical and biological substances of concern to workers.
 - Identify things such as work areas and production processes where products are stored, handled or produced.
2. Determine which substances are controlled products under WHMIS and exempt from WHMIS but of concern to workers.

3. Obtain current SDSs for controlled products and make sure:
 - Each SDS is less than three years old and complete;
 - A mechanism is in place to update SDSs regularly and as new information becomes available;
 - Transport, handling, storage, disposal practices, etc., for each product meet SDS product standards; and
 - SDSs are readily available to workers throughout the organization.
4. Assess the risk associated with handling, use, storage and disposal of the product. Example: Consider flammability, toxicity, corrosiveness, reactivity and explosiveness. Include emergency response requirements in your assessment. Example: What happens if there is a spill, fire, explosion or other mishap? How will the emergency be handled? What must be done to care for the injured and protect others at risk?
5. Determine what measures need to be taken to control those risks and apply the technical steps discussed in this chapter.
6. Establish a system to ensure containers are adequately labeled:
 - Ensure suppliers attach appropriate supplier labels to their controlled products. Labels should include the hazards of the product, precautionary and first-aid measures;
 - Replace damaged or missing labels; and
 - Provide appropriate workplace labels for containers holding a product removed from its original container.
7. Develop written work procedures based on the control measures.
8. Arrange for the training of workers in consultation with the OHC:
 - Train all workers in the general requirements of WHMIS;
 - Train workers and supervisors handling controlled products how to identify and control the hazards of the products they use; and
 - Update workers and supervisors when new information becomes available.

Technical steps in hazard control

As a first step in hazard control, determine if the hazards can be controlled at their source (i.e., where the problem is created) through applied engineering. If this does not work, try to put controls between the source and the worker. The closer a control is to the source of the hazard, the better. If this is not possible, hazards must be controlled at the level of the worker. Example: Workers can be required to use a specific work procedure to prevent harm.

One type of hazard control may not be effective on its own. A combination of several types of hazard controls often works well. Whatever method you use, the OHC or representative should try to find the root cause of each hazard and simply not control the symptoms. Example: It might be better to redesign a work process than improve a work procedure. It is better to replace, redesign, isolate or quiet a noisy machine than to issue nearby workers with hearing protectors.

Control at the source

Elimination – First, try eliminating the hazard. Getting rid of a hazardous job, tool, process, machine or substance may be the best way of protecting workers. Example: A salvage firm might decide to stop buying and cutting up scrapped bulk fuel tanks due to explosion hazards.

Substitution – If elimination is not practical, try replacing hazardous substances with something less dangerous. Example: Replace a hazardous chemical with a less hazardous one. A safer work practice can be used. Be sure to also identify, assess and control the substitute's hazards.

Redesign – Sometimes engineering can be used to redesign the layout of the workplace, workstations, work processes and jobs to prevent ergonomic hazards. Example: Redesign containers to be easier to hold and lift. Engineering may be able to improve workplace lighting, ventilation, temperature or process controls.

Isolation – Isolating, containing or enclosing the hazard is often used to control chemical hazards and biohazards. Example: Negative pressure glove boxes are used in medical labs to isolate biohazards.

Automation – Dangerous processes can sometimes be automated or mechanized. Example: Spot welding operations in car plants can be handled by computer-controlled robots. Care must be taken to protect workers from robotic hazards.

Control along the path from the hazard to the worker

Hazards that cannot be isolated, replaced, enclosed or automated can sometimes be removed, blocked, absorbed or diluted before they reach workers. Usually, the further a control keeps hazards away from workers, the more effective it is.

Barriers – A hazard can be blocked. Example: Proper equipment guarding can protect workers from contacting moving parts. Screens and barriers can block welding flash from reaching workers. Machinery lockout systems can protect maintenance workers from physical agents such as electricity, heat, pressure and radiation.

Absorption – Baffles can block or absorb noise. Local exhaust ventilation can remove toxic gases, dusts and fumes where they are produced.

Dilution – Some hazards can be diluted or dissipated. Example: General (dilution) ventilation might dilute the concentration of a hazardous gas with clean, tempered air from the outside. Dilution ventilation is often quite suitable for less toxic products. However, it is not effective for substances that are harmful in low concentrations. It may also spread dusts through the workplace rather than completely removing them.

Control at the level of the worker

Control at the level of the worker usually does not remove the risk posed by a hazard. It only reduces the risk of the hazard injuring the worker and lessens the potential seriousness of an injury. Therefore, most safety experts consider control at the level of the worker to be the least effective means of protecting workers.

Administrative controls – These include introducing new policies, improving work procedures and requiring workers to use specific personal protective equipment and hygiene practices. Example: Job rotations and scheduling can reduce the time that workers are exposed to a hazard. Rotate workers through jobs requiring repetitive tendon and muscle movements to prevent MSIs. Noisy processes can be scheduled when few workers are in the workplace. Standardized written work procedures can ensure that work is done safely. Workers can be required to use shower and change facilities to prevent absorption of chemical contaminants. The employer is responsible for enforcing administrative controls.

Work procedures, training and supervision – Train supervisors to apply modern safety management and supervisory practices. Train workers to use standardized safe work practices. Periodically assist the employer to review and update operating procedures and worker training. Refresher training should be offered periodically. Ensure that workers follow safe work practices.

Emergency planning – Implement written plans to handle fires, chemical spills and other emergencies. Train workers to follow these procedures and use appropriate equipment. Provide refresher training regularly.

Housekeeping, repair and maintenance programs – Housekeeping includes cleaning, waste disposal and spill cleanup. Tools, equipment and machinery are less likely to cause injury if they are kept clean and well maintained.

Hygiene practices and facilities – Hygiene practices can reduce the risk of toxic materials being absorbed by workers or carried home to their families. Keep street clothing in separate lockers to avoid contamination from work clothing. Segregate eating areas from work areas. Forbid eating, drinking and smoking in toxic work areas. Where applicable, workers may be required to shower and change clothes at the end of the shift.

Personal protective equipment (PPE) and clothing – Use PPE and clothing when:

- Other controls aren't feasible (e.g., to protect workers from noise exposure when using chainsaws);
- Where additional protection is needed; and
- Where the task or process is temporary (e.g., periodic maintenance work).

PPE is much less effective than engineering controls since it does not eliminate the hazard. It must be used properly and consistently to be effective. Awkward or bulky PPE may prevent a worker from working safely. In some cases, PPE can even create hazards, such as heat stress.

The employer must require workers to use PPE wherever it's prescribed by the regulations or organizational work procedures. Workers must be trained to use, store and maintain their equipment properly. The employer, supervisor and workers must understand the limitations of their personal protective equipment.

Selecting controls

Selecting a control often involves:

- Evaluating and selecting temporary and permanent controls;
- Implementing temporary measures until permanent (engineering) controls can be put in place; and
- Implementing permanent controls when reasonably practicable.

Example: Suppose a noise hazard is identified. Temporary measures might require workers to use hearing protection. Long-term, permanent controls might use engineering to remove or isolate the noise source.

Monitoring the effectiveness of controls

Sometimes hazard controls do not work as well as expected. Therefore, the OHC or representative should monitor the effectiveness of the corrective action taken by the employer during inspections and other activities. Ask these questions:

- Have the controls solved the problem?
- Is the risk posed by the original hazard contained?
- Have any new hazards been created?
- Are new hazards appropriately controlled?
- Are monitoring processes adequate?
- Have workers been informed adequately about the situation?
- Have training programs been modified to deal with the new situation?
- Are any other measures required?

Document the effectiveness of hazard controls in OHC minutes.

What else can be done?

Once hazards have been identified, assessed and controlled, the employer and OHC or representative should work together to develop:

- Training programs for workers;
- Emergency response procedures; and
- Health and safety requirements for others at the workplace, such as self-employed persons.

The OHC or representative should monitor these activities to ensure they are effective.

Review

The employer is responsible for ensuring that workplace hazards are identified, assessed and controlled appropriately. Tell workers about the hazards they face and how to control them.

The employer is expected to consult and involve the OHC in the hazard control process. Likewise, the OHC is expected to help the employer maintain a healthy and safe workplace. Helping the employer identify, assess and control hazards is one of the most important roles of the OHC or representative in the WRS.

Hazards are divided into two groups: hazards that cause illness (health hazards) and hazards that cause injury (safety hazards). Identify hazards by asking what harm could result if a dangerous tool, process, machine or piece of equipment failed. Control health and safety hazards at the source, along the path or at the level of the worker. Once controls are in place, check periodically to make sure they are still working properly.

The OHC should audit the hazard controls in the WRS and help the employer keep them effective.

Chapter 3: The OHC's role in incident prevention

- How OHCs are expected to function
- Where OHCs are required
- How OHCs are structured
- Duties of OHCs
- Protection for OHC members

Introduction

The SEA requires employers to do all that is reasonable and practicable to protect the health and safety of workers. This includes providing safe equipment, a safe working environment, adequate supervision, information and training. Managers, supervisors and workers have a responsibility to help the employer carry out these responsibilities.

To maintain an effective WRS for health and safety, workers must be involved in decisions that affect them. Involving workers has been proven to reduce incidents and illnesses in the workplace.

This is why the SEA requires the employer in workplaces with ten or more workers to organize an occupational health committee. The OHC includes worker and employer members. The OHC helps the employer maintain an effective WRS. However, the employer remains ultimately responsible for providing a safe, healthy workplace.

A safety-conscious employer will want to help the OHC be effective. The employer should provide adequate resources, time and training to help the OHC function effectively. All workers are expected to cooperate with the OHC.

This chapter reviews how OHCs are expected to help the employer maintain an effective WRS.

How OHCs are expected to function

The role of the OHC is to help the employer and workers prevent incidents and illnesses by helping them make the WRS effective.

The employer may delegate responsibilities to the OHC. But, the OHC is not expected to be a safety officer or enforce health and safety rules. In other words, the OHC is not expected to make decisions about what is adequate to protect the health and safety of workers. The OHC's role is to advise and assist, not assume managerial functions. The OHC cannot assume any of the legal obligations, duties or responsibilities of either the employer or the workers.

The OHC should not be involved in disciplinary matters. Maintaining compliance and adequate levels of health and safety at work is the responsibility of the employer, managers and supervisors. However, as an internal auditor of the WRS, the OHC can tell the employer about general problems with worker compliance and recommend corrective action.

Where OHCs are required

Generally – The employer must set up an OHC if the workplace has ten or more workers (SEA 3-22) or where directed by OHS Division (SEA 3-23).

Construction sites – The contractor must establish an OHC if the site has ten or more workers or self-employed persons working (or likely to be working) for more than 90 days (regulation 38).

Organizations with variable numbers of workers – The employer must set up an OHC once the workplace has ten or more workers. When the number drops below ten, the employer has three options:

1. Voluntarily maintain the OHC. Example: The employer could keep a committee of one employer and one worker member.
2. Designating a worker representative if the workplace falls under Table 7 of the Appendix to the regulations.
3. Consulting workers on health and safety issues directly where neither an OHC nor a representative is required.

Organizations with dispersed workforces – The employer must set up an OHC if the workplace has ten or more workers. Employers with ten or more workers at a remote site are encouraged to set up an OHC at that site. Employers with less than ten workers at a remote site should encourage their workers to participate in the site OHC. OHS Division can order a workplace with less than ten workers to establish an OHC if OHS Division thinks it will improve health and safety at that workplace. Also, OHS Division could order a workplace to establish additional OHCs in a situation where that workplace would be better served by more than one.

How OHCs are structured

- The employer must ensure that the OHC is structured and maintained as required by law (SEA 3-22(1)). All workers have a duty to help the employer make the OHC effective.
- Each OHC must have at least two, but not more than 12 members (SEA 3-22(2)). At least half the members must be non-management workers.
- The employer may provide clerical support to the OHC. Support personnel who are not OHC members should not vote or participate unduly in OHC deliberations.

Selecting members

- In a non-union workplace, the workers must elect their OHC members. In a unionized workplace, the constitution of the union determines the appointment process.
- The employer must select management members. Management members must not outnumber worker members.

The employer should ensure the OHC fairly represents workers with significantly different concerns (regulation 39). Example: Shift workers should be involved in OHC meetings and have their concerns fairly represented. If several unions are present, the unions must work out an agreement about how their OHC members are to be appointed (SEA 3-22(4)).

The employer must provide work time for workers to choose their members.

Posting names

The employer must post the names of OHC members (SEA 3-25).

Selecting co-chairs (regulation 43)

Each OHC must have two chairs. One must be designated by the employer and one selected by worker members of the OHC at its first meeting.

Both co-chairs have the same rights and responsibilities, including the right to call and chair meetings. The employer co-chair is expected to keep the employer informed about the OHC's activities. The worker co-chair is responsible for keeping workers informed. Both co-chairs are entitled to receive information sent to them by OHS Division and distribute it to workers.

Terms of office (regulation 39)

Each OHC member serves for a term not exceeding three years. Members may serve for more than one term. If a member doesn't want to serve on the OHC anymore, that person should remain in office until someone is ready to take over.

Quorum at meetings (regulation 40)

A quorum for a valid meeting means at least:

- Half of all members must be present;
- Half of the members present must be workers;
- One employer member must be present.

OHS Division recommends that alternate (replacement) members be selected so the OHC can always form a quorum.

Frequency of meetings (regulation 41)

First meeting – The employer must ensure that a new OHC meets within two weeks of being set up.

Next three meetings – The OHC must then meet at least once each month for three months. These meetings will help the OHC to get going and gain credibility.

Regular meetings – Thereafter, the OHC must meet at least once every three months.

Additional meetings

- OHS Division can require any OHC to meet more than once every three months (regulation 41(2)).
- Either co-chair may call special and emergency meetings (regulation 44).
- An occupational health officer may also call special meetings (regulation 49).

Minutes of meetings (regulation 42)

OHS Division provides a [minutes form](#), but homemade forms are acceptable if they use the same format. Learn how to complete a minutes form in Appendix 2: Forms.

The co-chairs must sign the minutes after each meeting. The OHC must keep a copy of the minutes on file and post a copy in the workplace. The employer must maintain a copy of the minutes and have them readily available for inspection by the OHC or an OHO.

The employer should provide the OHC with a bulletin board in the workplace for posting minutes and health and safety information.

Duties of OHCs

OHCs help the employer by:

- Advising and assisting the employer;
- Assisting to identify, assess and control hazards;
- Dealing with the concerns of workers;
- Communicating with workers;
- Assisting to train new and inexperienced workers;
- Contributing to and developing policies, plans and programs;
- Planning worker training;
- Handling refusals to work under SEA 3-31;
- Regularly inspecting their workplaces; and
- Investigating certain incidents and dangerous occurrences.

Beyond this, the OHC should work continuously with the employer to maintain the effectiveness of the WRS.

Dealing with the concerns of workers

OHCs are invaluable in encouraging workers to discuss their concerns and suggest solutions. Methods include:

- Conversations;
- Contacts during inspections and investigations; and
- Meetings.

Steps in dealing with concerns

1. Encourage workers to bring specific concerns to their supervisor and general concerns to the OHC. Example: A defect in a machine should be drawn promptly to the attention of the supervisor. A concern about the adequacy of training provided to new workers can be brought to the OHC.
2. If the problem cannot be resolved with the supervisor (i.e., management), take it to the OHC for investigation. Keep the worker and supervisor informed during the investigation.
3. If the OHC member cannot resolve the concern, call in the co-chairs.
4. If the co-chairs cannot resolve the problem, bring it up at the next meeting. If the concern is serious, such as a refusal to work under SEA 3-31, call an emergency OHC meeting.

The OHC helps the worker and employer by gathering information on the risks posed by each identified hazard and various alternative courses of action. Collect information from industry safety associations, OHS Division, and equipment, tool and material suppliers. Recommendations should be taken to the employer for corrective action. Keep workers informed.

The employer is expected to act on the OHC's recommendation, or explain in writing why he or she does not agree with it. If the employer takes corrective action, he or she should send the OHC a written report describing what has been done. The OHC should file a copy of the employer's report with the meeting minutes.

5. If the OHC cannot resolve the concern with the employer, an OHO should be asked for help.
6. The status and final resolution of the concern should be communicated to everyone involved. Post meeting minutes, distribute bulletins or hold discussions with workers, supervisors and managers.
7. The OHC can help everyone concerned by monitoring the effectiveness of the corrective action taken by the employer.

Protection for workers who raise concerns

The SEA protects workers who raise concerns from discriminatory action.

SEA 3-1, Interpretation of Part



(1) In this Part and in Part IV:

- (i) “discriminatory action” means any action or threat of action by an employer that does or would adversely affect a worker with respect to any terms or conditions of employment or opportunity for promotion, and includes termination, layoff, suspension, demotion or transfer of a worker, discontinuation or elimination of a job, change of a job location, reduction in wages, change in hours of work, reprimand, coercion, intimidation or the imposition of any discipline or other penalty, but does not include:
 - (i) the temporary assignment of a worker to alternative work, pursuant to section 3-44, without loss of pay to the worker; or
 - (ii) the temporary assignment of a worker to alternative work, without loss of pay to the worker, while:
 - (C) steps are being taken for the purposes of clause 3-31(a) to satisfy the worker that any particular act or series of acts that the worker refused to perform pursuant to that clause is not unusually dangerous to the health or safety of the worker or any other person at the place of employment;
 - (D) the occupational health committee is conducting an investigation pursuant to clause 3-31(b) in relation to the worker’s refusal to perform any particular act or series of acts; or
 - (E) an occupational health officer is conducting an investigation requested by a worker or an employer pursuant to clause 3-32(a);

SEA 3-35, Discriminatory action prohibited



No employer shall take discriminatory action against a worker because the worker:

- (a) acts or has acted in compliance with:
 - (i) this Part or the regulations made pursuant to this Part;
 - (ii) Part V or the regulations made pursuant to that Part;
 - (iii) a code of practice issued pursuant to section 3-84; or
 - (iv) a notice of contravention or a requirement or prohibition contained in a notice of contravention;
- (b) seeks or has sought the enforcement of:
 - (i) this Part or the regulations made pursuant to this Part; or
 - (ii) Part V or the regulations made pursuant to that Part;

- (c) assists or has assisted with the activities of an occupational health committee or occupational health and safety representative;
- (d) seeks or has sought the establishment of an occupational health committee or the designation of an occupational health and safety representative;
- (e) performs or has performed the function of an occupational health committee member or occupational health and safety representative;
- (f) refuses or has refused to perform an act or series of acts pursuant to section 3-31;
- (g) is about to testify or has testified in any proceeding or inquiry pursuant to:
 - (i) this Part or the regulations made pursuant to this Part; or
 - (ii) Part V or the regulations made pursuant to that Part;
- (h) gives or has given information to an occupational health committee, an occupational health and safety representative, an occupational health officer or other person responsible for the administration of this Part or the regulations made pursuant to this Part with respect to the health and safety of workers at a place of employment;
- (i) gives or has given information to a radiation health officer within the meaning of Part V or to any other person responsible for the administration of that Part or the regulations made pursuant to that Part;
- (j) is or has been prevented from working because a notice of contravention with respect to the worker's work has been served on the employer; or
- (k) has been prevented from working because an order has been served pursuant to Part V or the regulations made pursuant to that Part on an owner, vendor or operator within the meaning of that Part.

SEA 3-36, Referral to occupational health officer



- (1) A worker who, on reasonable grounds, believes that the employer has taken discriminatory action against him or her for a reason mentioned in section 3-35 may refer the matter to an occupational health officer.
- (2) If an occupational health officer decides that an employer has taken discriminatory action against a worker for a reason mentioned in section 3-35, the occupational health officer shall serve a notice of contravention requiring the employer to:
 - (a) cease the discriminatory action;
 - (b) reinstate the worker to his or her former employment on the same terms and conditions under which the worker was formerly employed;
 - (c) subject to subsection (5), pay to the worker any wages that the worker would have earned if the worker had not been wrongfully discriminated against; and

- (d) remove any reprimand or other reference to the matter from any employment records maintained by the employer with respect to that worker.
- (3) If an occupational health officer decides that no discriminatory action has been taken against a worker for any of the reasons set out in section 3-35, the occupational health officer shall advise the worker of the reasons for that decision in writing.
- (4) If discriminatory action has been taken against a worker who has acted or participated in an activity described in section 3-35:
 - (a) in any prosecution or other proceeding taken pursuant to this Part, there is a presumption in favour of the worker that the discriminatory action was taken against the worker because the worker acted or participated in an activity described in section 3-35; and
 - (b) the onus is on the employer to establish that the discriminatory action was taken against the worker for good and sufficient other reason.
- (5) The amount of money that an occupational health officer may require to be paid pursuant to clause (2)(c) is to be reduced by an amount that the officer is satisfied that the worker earned or should have earned during the period when the employer was required to pay the worker the wages.
- (6) The employer has the onus of establishing the amount of the reduction mentioned in subsection (5).

Handling refusals to work under SEA 3-31

Refusals to work represent a failure of the workplace responsibility system. An effective WRS detects and resolves concerns that could cause a refusal. Fortunately, refusals happen rarely.

The intent of the legislation

Under SEA 3-31, a worker has the right to refuse work that the worker *believes is unusually dangerous*. The unusual danger may threaten workers or others and could include:

- A danger that is not normal for the job;
- A danger that would normally stop work; or
- A situation that the worker isn't properly trained, equipped or experienced.

SEA 3-31 applies only to health and safety issues. It is an individual decision that has to be based on a personal belief that the work is unusually dangerous. During a refusal, the refusing worker is protected from discriminatory action, as defined in SEA 3-1(1)(i) and described in SEA 35.

The refusal may continue until either the worker is satisfied the job is no longer unusually dangerous or an OHO has ruled against the refusal. During the refusal, the refusing worker must remain at the workplace unless the employer advises otherwise.

How to investigate a refusal to work

The SEA states when OHCs must investigate refusals. During the investigation, the OHC must follow principles set out in SEA, Part III, Division 5. Anyone involved may contact OHS Division for help and advice. However, the OHC should try to resolve the matter internally before contacting OHS Division.

You can apply the principles used to deal with concerns to resolve refusals to work. Follow these steps for investigating a refusal to work:

1. Inform the supervisor.

The worker should tell the supervisor that the refusal is because of a health and safety concern. Most refusals are resolved at this point. The refusing worker should not leave the workplace without the employer's permission.

Reassignment – The supervisor has the right to assign the refusing worker to other work (at no loss in pay or benefits) until the matter is resolved (SEA 3-1(1)(i)(ii)).

Replacement workers – Under SEA 3-34, an employer cannot assign another worker to the disputed job unless the replacement worker is advised in writing about:

- The refusal and the reasons for it;
- Why the employer believes the replacement worker can do the disputed job safely;
- The right of the replacement worker to refuse; and
- The steps to follow when exercising this right.

The employer must also inform workers who are expected to do the same job on other shifts about the refusal and the reasons for it.

2. Involve the OHC co-chairs.

If the supervisor and worker cannot resolve the refusal, ask OHC co-chairs to help. The co-chairs have no right to rule on whether or not the disputed job is unusually dangerous.

If there is no committee – Any of the parties involved may [contact OHS Division](#).

3. Hold an emergency OHC meeting.

If the co-chairs cannot resolve the refusal:

- Convene an emergency OHC meeting and have the OHC investigate the refusal. If necessary, have the OHC rule on whether or not the work is unusually dangerous. This ruling must be made by a vote of a quorum. A unanimous vote by a quorum of the OHC is required to rule on a refusal.
- Send recommendations for corrective action to the employer. Include a summary of the investigation with the meeting minutes. The employer should act and report to the OHC.

- Look for underlying causes of the refusal. Often, a refusal is a sign of an inadequate WRS. The OHC can help discover underlying problems leading to the refusal and prevent others.
- Document the investigation. During the investigation, review applicable legislation, work procedures, product documentation, etc. OHOs may need to review the OHC's investigation file.

4. Contact OHS Division.

During a refusal to work, contact OHS Division if the matter has not been dropped or resolved, the refusing worker or employer is not satisfied with the OHC's decision, or the OHC cannot agree on how to resolve the refusal.

In such cases, an OHO must investigate and make a ruling. The worker may continue the refusal until the OHO rules. The OHO will provide a written decision to the refusing worker, each co-chair and the employer.

SEA, Part III, Division 8 allows anyone affected directly by an OHO's decision to appeal it to OHS Division. The appeal does not suspend the operation of the OHO's decision. SEA, Part IV outlines a further appeal process.

5. Communicate the results to workers.

Summarize the results of the investigation on OHC minutes and post for the information of workers. Everyone involved should be kept informed during the investigation.

6. Monitor the effectiveness of corrective action.

The effectiveness of corrective action should be checked by the OHC during inspections, conversations with workers and other activities.

Protection from discriminatory action

SEA 3-35(f) protects any worker who refuses or has refused to work pursuant to SEA 3-31 from discriminatory action. The legislation permits the employer to reassign a refusing worker to other work (at no loss in pay or benefits) until the matter is resolved. The refusing worker is protected until an OHO investigates the situation and rules against the refusal. If the OHO rules against the refusal, the worker returns to work.

Where discriminatory action is taken

Under SEA 3-36(1), an OHO must investigate any complaint of discriminatory action. An OHO who finds that the employer has taken discriminatory action will issue a notice of contravention under SEA 3-36(2), requiring the employer to:

- Cease the discriminatory action;
- Reinstate the worker to his or her former terms and conditions of employment;

- Pay to the worker back wages that would have been earned had the discriminatory action not been taken;
- Remove any reference of the matter from the worker's employment records; and
- Provide the OHO with a progress report on remedial action (SEA 3-43).

The OHC or representative must receive a copy of the progress report. Another copy should be posted.

Where the OHO does not find discriminatory action

An OHO who does not find evidence of discriminatory action will advise the parties in writing. Anyone affected directly by the OHO's decision may appeal.

Advising and assisting the employer

The role of the OHC is to help the employer make the WRS function effectively. The OHC has no direct responsibility within the WRS. It functions as an internal auditor.

As an internal auditor of the WRS, the OHC helps the employer assess the effectiveness of each aspect of the system. Things to consider:

- The health and safety systems, policies, plans and program.
- Policies (e.g., harassment and violence prevention).
- The effectiveness of standards.
- The resources allocated to health and safety.
- Accountability and authority for health and safety decision making.
- The importance of health and safety in purchasing and tendering decisions.
- The importance of health and safety in workplace design, work stations and work processes.
- The effectiveness of worker training.
- The effectiveness of existing hazard controls and work procedures.
- The effectiveness of housekeeping and maintenance programs.
- The effectiveness of the OHC's activities (e.g., inspections, investigations, dealing with concerns).

Worker involvement through the OHC increases the likelihood that all hazards and concerns will be identified and solutions will be practical and cost-effective.

Helping the employer with policies, plans and programs

The OHC can help the employer develop policies, plans and programs. Some are required by the regulations:

Safety programs – The employer at any workplace prescribed in the regulations must develop a health and safety program in consultation with the OHC (SEA 3-20, regulation 22 and Table 7 of the appendix to the regulations).

Safety procedures – Where safety procedures are developed, the employer should consult the OHC or workers to ensure that each procedure is adequate and workable. Use the regulations as a guide.

First aid – OHCs are expected to help the employer prepare for incidents and organize a system to provide first aid (Part V of the regulations).

Harassment – Every employer is expected to develop and implement a policy to prevent harassment. The requirements for the policy are explained in regulation 36. Harassment is defined under section SEA 3-1(1)(l).

Violence – The employer at a workplace listed in the regulations is expected to develop and implement a policy to control violence in consultation with the OHC. Violence includes actions or threats that have caused (or could cause) injury (SEA 3-21 and regulation 37).

Exposure to infectious substances – An employer in a prescribed workplace is expected to develop and implement a plan to eliminate or minimize worker exposure to an infectious material or organism. The employer is expected to consult the OHC when developing the plan (regulation 85).

Noise – In certain workplaces, the employer is expected to develop a system to evaluate exposures to noise and recommend corrective action in consultation with the OHC (regulation 114).

OHCs also have a duty to help the employer control specific problems, such as chemical hazards (Parts XXI and XXII of the regulations). See Chapter 9 for a list of regulations requiring the employer to involve the OHC.

Helping the employer train new and inexperienced workers

New and inexperienced workers have more incidents than experienced workers do. Before starting work, new hires and workers assigned to new duties or work areas are to receive training (regulation 19). Training records should be kept for each worker.

The OHC can help the employer develop the training program and monitor its effectiveness. New workers should be told who their OHC member is. They should know what to do if they have a concern. The local OHC member should look out for the health and safety of these workers.

Helping the employer plan worker training

The employer is expected to provide training for workers and supervisors. Training must include safe work practices and any procedures, plans, policies and programs required by the legislation⁵. The OHC can help the employer prepare and monitor worker training.

The employer must consult the OHC during the development of any worker training program required by the regulations (e.g., WHMIS instruction, the use and maintenance of respirators). The OHC can help the employer to determine what training is required, select who will deliver the training and evaluate its effectiveness.

Supervisory training

The employer has a responsibility to provide adequate supervision and ensure supervisors are competent. The employer can prepare workers for supervisory positions through training in:

- Effective supervisory techniques;
- The technology, work processes, etc., associated with the job;
- Identification and control of workplace hazards;
- The role of supervisors within the WRS;
- Health and safety programs, and policies at the workplace;
- The role of the OHC or representative;
- Responsibilities under standards set by the organization; and
- Responsibilities under OHS legislation.

Worker training programs

The employer is responsible for ensuring workers are trained in all matters necessary to protect their health and safety. OHCs can help the employer:

1. Identify job hazards and jobs with a history of health and safety problems, and reviewing:
 - The training provided for these positions;
 - Current standards for this training; and
 - Required standards set by the industry or the legislation.

⁵ Keep all worker training documents and information accessible and available to show OHCs during an inspection or investigation that workers were trained adequately.

2. Review the training program provided to new and inexperienced workers. Training should include:
 - Fire and other emergency procedures;
 - The location of first-aid facilities;
 - Prohibited or restricted areas, tools and equipment;
 - Precautions to be taken when dealing with physical, chemical and biological hazards;
 - Precautions to be taken to deal with other health and safety hazards;
 - Workplace plans and procedures;
 - Work rules and any other information required by the organization, industry and legislation;
 - The role of the worker and OHC within the WRS;
 - Worker rights (i.e., to know, to participate and to refuse); and
 - How to report concerns and contact the OHC.

Review the need for and scheduling of refresher training. Many organizations provide a follow-up session three months after training.

3. Review standards for on-the-job instruction, coaching and safety tips provided by supervisors. Most organizations require the supervisor to show each worker how to do the job safely. This training must reinforce standards set by the organization and legislation. Supervisors must be equipped to provide this instruction.
4. Review standards for safety meetings and talks. Regular safety talks provide supervisors with a chance to reinforce health and safety practices. They also demonstrate the commitment of the organization.
5. Review health and safety information in documents provided to workers. Example: These publications should contain information about the safety policy or the health and safety requirements of the employer.
6. Review safety rules and job descriptions, including requirements for the use of PPE. Provide descriptions about when, where and how to use PPE. Workers must be trained to use, store and maintain their PPE correctly.
7. Review documents such as job descriptions, inspection reports or incident investigations. Look for potential training needs.
8. Discuss training needs with managers, supervisors and workers.
9. Review procedures for regularly auditing and updating worker training.
10. Review concerns dealing with training provided to workers.

Communicating with workers

The OHC is expected to help the employer to communicate information to workers about workplace hazards, safety rules, work practices, worker rights, etc. The OHC helps the employer to put the right to know into practice.

Effective communication is crucial to OHC success. It raises morale, increases support for health and safety, and prevents conflict. Good communication skills are especially useful during meetings.

More information about communication is included in Appendix 3: Communication, conflict resolution and problem-solving techniques.



Quick training checklist

Do workers:

- Know the safety requirements and standards for their jobs?
- Know material contained in the training program?
- Recognize the hazards of each task within the job and the risks associated with those hazards?
- Know how to safely use the tools, equipment, substances and materials required for their jobs?
- Know the workings and use of machinery guards and other safety devices?
- Know when and how to use personal protective equipment and clothing?
- Know what safe work procedures to use?
- Know how to avoid ergonomic injuries by using safe lifting practices, setting up computers safely and so forth?
- Know how to safely handle, use, store and dispose of biological and chemical substances at the workplace?
- Know how to report concerns?
- Know how to comply with work rules, legislation and other standards?
- You can find more information on worker training in Appendix 4: Help the employer plan worker training.

Protection for OHC members

The right to contact OHS Division - Anyone covered by the legislation has this right, including workers, employers and OHC members or representatives.

Protection from discriminatory action – Discriminatory action is defined in SEA 3-1(1)(i). SEA 3-35 and 3-36 prohibit an employer from taking discriminatory action against anyone covered by this section, including OHC members.

Immunity from legal action (SEA 9-10) – OHC members and representatives are protected from legal action if they carry out their duties in good faith.

Right to appeal – Anyone directly affected by an OHO's decision may appeal under SEA, Part III, Division 8.

Review

The ultimate purpose of an OHC is to help the employer make the WRS effective. The OHC audits the WRS, but it is not the WRS. It helps the employer provide a healthy and safe workplace, but it is not a safety officer. The employer can share duties with the OHC, but cannot share ultimate responsibility for health and safety.

Generally, OHCs are required in any workplace with ten or more workers. It is up to workers or their unions to select worker members, including one chairperson. The employer is responsible for selecting management representatives and one chairperson. OHCs can have as few as two members or as many as 12. Whatever the size, employer members may not outnumber worker members. Members serve for one or more 3-year terms.

Employers and workers are encouraged to select and prepare alternate (replacement) members to ensure it will always be possible to form a quorum meetings. Keep alternates informed of OHC activities.

A new OHC should meet within two weeks of being established. The new committee must then meet once monthly for the first three months. After that, the OHC should hold regular meetings, not exceeding three months. Additional meetings can be held if necessary. Copies of minutes of meetings should be posted in the workplace.

The function of the OHC is to help the employer maintain an effective WRS for incident prevention:

- Advise and assist the employer;
- Help the employer to identify, assess and control hazards;
- Deal with the concerns of workers;
- Communicate with workers;
- Help plan and monitor training;
- Help the employer with policies, plans and programs;
- Help the employer plan worker training;
- Handle refusals to work under SEA 3-31;
- Regularly inspect workplaces; and
- Investigate certain incidents and dangerous occurrences.

Beyond this, the OHC should work continually with the employer to maintain the effectiveness of the WRS.

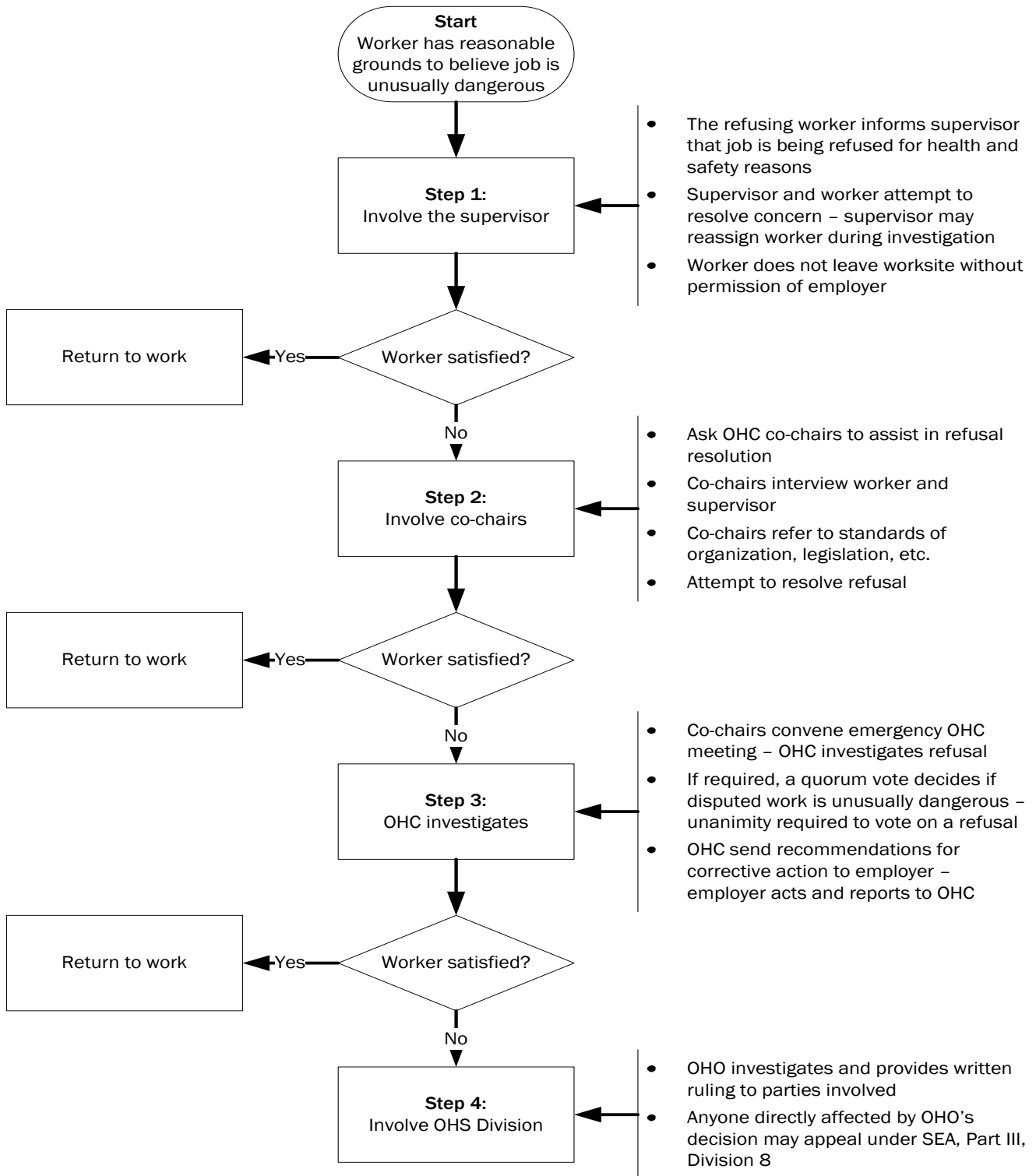
OHC members and workers who report concerns are protected from discriminatory action by the legislation.

An effective way of resolving concerns is one of the most important components of an effective WRS. OHC and representatives provide the workplace with a mechanism to identify concerns and resolve them with the employer. OHS Division recommends workers report concerns to their supervisor. If the supervisor and worker cannot resolve the concern, the OHC or representative should be involved. If the OHC or representative cannot resolve the concern with the employer, ask OHS Division for help.

SEA 3-31 gives a worker the right to refuse work that they believe is unusually dangerous. While the refusal is investigated, the worker is protected from discriminatory action.

OHCs should investigate refusals following the requirements set out in the SEA. If the matter cannot be resolved to the satisfaction of the refusing worker or employer, an OHO must investigate. The investigating officer will provide a written ruling to the parties. The OHO's decision may be appealed under SEA, Part III, Division 8 and Part IV. The following flowchart outlines these procedures.

Procedural summary for investigating a refusal to work



Chapter 4: Responsibilities of employers and workers towards the OHC

- Responsibilities of employers
- Responsibilities of managers, supervisors and workers

Introduction

The employer and workers support effective OHCs. An effective OHC is invaluable in helping the employer and workers maintain a healthy and safe workplace. This chapter covers how the employer, managers, supervisors and workers can help the OHC to help them.

Responsibilities of employers

Effective employers take the lead in helping the OHC to function properly. They create a workplace environment that enhances the effectiveness of the OHC, in addition to meeting requirements of the legislation. To do this, the employer should:

- Inform workers about the requirements for OHCs, including what they are expected to do in the workplace.
- Inform managers and supervisors about the OHC and their responsibilities towards it.
- Arrange for workers on various shifts and in distinct work areas to be represented fairly on the OHC.
- Provide time for workers to select their OHC members.
- Appoint influential employer members and/or personally serve as the employer co-chair.
- Promptly hold an initial OHC meeting to select co-chairs and plan activities of the OHC.
- Post the names of OHC members in the workplace and provide the OHC with a bulletin board to post minutes of meetings and health and safety information.
- Arrange for the OHC to inspect the workplace and discuss concerns with workers to give the OHC momentum.
- Promptly take corrective action when the OHC reports a concern. This will help the OHC gain credibility with managers, supervisors and workers.
- Provide the OHC with information.
- Provide the OHC with adequate time and resources to do its job.
- Ensure the co-chairs obtain training in their responsibilities.
- Help the OHC meet at least once every three months.

- Involve the OHC in the development of policies, plans and programs.
- Involve the OHC in worker training, including WHMIS instruction.
- Ensure new hires know who their OHC member is and how to report concerns.
- Empower managers and supervisors to correct problems brought to their attention by OHC members.
- Maintain contact with the OHC to ensure it is functioning effectively.

Train representatives and committee members

Training is crucial to the success of the OHC. It gives the co-chairs the necessary tools for the job. The employer is expected to help the co-chairs obtain training in their duties and functions. In turn, the co-chairs are expected to attend training programs and apply their learning at work.

Where an OHC member or representative gives reasonable notice, the employer shall allow the member to take up to five working days per year to attend occupational health and safety training programs, seminars or courses of instruction. The member does not lose pay or benefits when attending courses conducted or approved by OHS Division (regulation 46).

Training provided or approved by OHS Division satisfies regulatory requirements for the basic training of OHCs and representatives. However, it is not intended to equip OHCs to deal with specific hazards at the workplace. Progressive employers arrange workplace-specific training.

Employers and OHC members are encouraged to get training in the following topics:

- How to identify and control industry-specific hazards, including ergonomic hazards.
- How to conduct inspections.
- How to investigate incidents and dangerous occurrences.
- Saskatchewan occupational health and safety legislation.
- The Workplace Hazardous Materials Information System (WHMIS).

It is recommended that alternate OHC members (those who take the place of co-chairs or other members who cannot attend meetings) be trained in their duties. Keep alternate members informed about OHC activities by providing them with the information, agendas and other items sent to regular OHC members.

The employer and senior managers are encouraged to attend OHC training provided by OHS Division.

Provide information

The employer is expected to provide the OHC with information listed under SEA 3-16.

Information must be accessible to workers at all times without them having to ask permission for it. Also, it must be stored in an easily found location when an OHO requests it.

SEA 3-16, Duty to provide information



- (1) In this section, “required information”:
 - (a) means any information that an employer, contractor, owner or supplier knows or may reasonably be expected to know and that:
 - (i) may affect the health or safety of any person who works at a place of employment; or
 - (ii) is necessary to identify and control any existing or potential hazards with respect to any plant or any process, procedure, biological substance or chemical substance used at a place of employment; and
 - (b) includes any prescribed information.
- (2) Subject to section 3-17 and Division 7, every employer shall keep readily available all required information and provide that information to the following at a place of employment:
 - (a) the occupational health committee;
 - (b) the occupational health and safety representative;
 - (c) the workers, if there is no occupational health committee and no occupational health and safety representative.
- (3) Subject to Division 7, every contractor shall provide all required information to:
 - (a) every employer and self-employed person with whom the contractor has a contract; and
 - (b) any occupational health committee established by the contractor.
- (4) Subject to Division 7, every owner of a plant used as a place of employment shall provide all required information to every contractor, every employer who employs workers who work in or on the plant and every self-employed person who works in or on the plant.
- (5) Subject to Division 7, every supplier shall provide prescribed written instructions and any other prescribed information to every employer to whom the supplier supplies any prescribed biological substance, chemical substance or plant.

Regulation 15, Duty of employer or contractor to provide information



An employer or contractor shall:

- (a) make readily available for reference by workers a copy of:
 - (i) the Act;
 - (ii) any regulations made pursuant to the Act that apply to the place of employment or to any work done there; and
 - (iii) any standards adopted in the regulations that address work practices or procedures and that apply to the place of employment or to any work done there; and
- (b) where the information mentioned in clause (a) or in section 9 of the Act will be posted, provide a suitable bulletin board to be used primarily to post information on health and safety related to the place of employment.

Ensure that the co-chairs receive material sent from OHS Division. OHC members should share the material with workers.

OHC members should also be informed about:

1. Any general results of work environment monitoring or biological monitoring. Confidential (personal) medical information may not be released.
2. Reports from consultants that impact on the occupational health and safety of workers.
3. Incident and dangerous occurrence notifications and investigation reports.
4. Health and safety hazards associated with the place of employment.

Provide time

OHC members will need adequate work time to carry out their duties (at no loss in pay or benefits). This includes time for reviewing and providing recommendations on matters requiring the OHC's input, such as:

- Discussing and addressing worker's concerns;
- Identifying hazards (through inspections and investigations);
- Providing information to workers and the employer;
- Meeting with the employer and others to obtain information, discuss issues and develop solutions;
- Reviewing lost time injuries; and
- Investigating certain incidents and dangerous occurrences.

Help the OHC to inspect the workplace regularly

The employer should help the OHC or the co-chairs to inspect the workplace regularly and discuss concerns with workers (regulation 28). OHS Division suggests that inspections be made a day or so before each regularly scheduled OHC meeting. OHCs should summarize inspection reports in the meeting minutes to keep workers informed.

Inspections with an OHO – The worker co-chair has a right to accompany an OHO inspecting the workplace (regulation 20). The employer should encourage the co-chair to discuss workplace concerns with the OHO.

Provide progress reports

Where an OHO finds a contravention (violation) of the legislation, the OHO will require the person to enter into a compliance undertaking or issue a [notice of contravention](#). It specifies to what legislation the person must comply with and by what time. The OHO must provide the OHC or worker representative with a copy of the notice. If there isn't an OHC or a representative, the OHO will post a copy at the place of employment.

The person who entered into the compliance undertaking or was issued the notice of contravention must then file a progress report within five business days of the deadline set by the OHO. State what has been done to correct the compliance undertaking or notice of contravention. Copies must be provided to the OHO and the OHC or worker representative, or posted in the workplace for the information of workers where there is no OHC or representative.

Any OHC member has a right to contact the OHO about the corrective action taken by the employer.

Helping the OHC conduct investigations

Finding the root causes of incidents and dangerous occurrences can prevent recurrences. Investigations also identify problems within the WRS that need attention.

The employer must notify OHS Division of incidents described in regulation 8 and dangerous occurrences described in regulation 9. These include incidents that cause (or may cause) the death of a worker or require hospitalization for more than 72 hours (3 days) and dangerous occurrences.

The employer is expected to help the OHC investigate and report on incidents and dangerous occurrences (regulations 29 and 31). These include incidents that cause (or may cause) the death of a worker or require hospitalization for more than 24 hours and dangerous occurrences.

The employer must file an incident report at the request of an OHO and correct concerns raised in the report. The employer can help the OHC review workplace problems by providing a report listing all lost-time injuries over the past year that required medical attention (regulation 32).



Regulation 8, Accidents causing serious bodily injury

- (1) An employer or contractor shall give notice to the division as soon as is reasonably possible of every accident at a place of employment that:
 - (a) causes or may cause the death of a worker; or
 - (b) will require a worker to be admitted to a hospital as an in-patient for a period of 72 hours or more.
- (2) The notice required by subsection (1) must include:
 - (a) the name of each injured or deceased worker;
 - (b) the name of the employer of each injured or deceased worker;
 - (c) the date, time and location of the accident;
 - (d) the circumstances related to the accident;
 - (e) the apparent injuries; and
 - (f) the name, telephone number and fax number of the employer or contractor or a person designated by the employer or contractor to be contacted for additional information.
- (3) An employer or contractor shall provide each co-chairperson or the representative with a copy of the notice required by subsection (1).

Regulation 9, Dangerous occurrences



- (1) In this section, “dangerous occurrence” means any occurrence that does not result in, but could have resulted in, a condition or circumstance set out in subsection 8(1), and includes:
 - (a) the structural failure or collapse of:
 - (i) a structure, scaffold, temporary falsework or concrete formwork; or
 - (ii) all or any part of an excavated shaft, tunnel, caisson, coffer dam, trench or excavation;
 - (b) the failure of a crane or hoist or the overturning of a crane or unit of powered mobile equipment;
 - (c) an accidental contact with an energized electrical conductor;
 - (d) the bursting of a grinding wheel;
 - (e) an uncontrolled spill or escape of a toxic, corrosive or explosive substance;
 - (f) a premature detonation or accidental detonation of explosives;

- (g) the failure of an elevated or suspended platform; and
 - (h) the failure of an atmosphere-supplying respirator.
- (2) An employer, contractor or owner shall give notice to the division as soon as is reasonably possible of any dangerous occurrence that takes place at a place of employment, whether or not a worker sustains injury.
- (3) A notice required by subsection (2) must include:
- (a) the name of each employer, contractor and owner at the place of employment;
 - (b) the date, time and location of the dangerous occurrence;
 - (c) the circumstances related to the dangerous occurrence; and
 - (d) the name, telephone number and fax number of the employer, contractor or owner or a person designated by the employer, contractor or owner to be contacted for additional information.
- (4) An employer, contractor or owner shall provide each co-chairperson or the representative with a copy of the notice required by subsection (2).

Resolving concerns reported by the committee

OHCs are expected to bring health and safety concerns to the employer for corrective action, including unsafe conditions found during an inspection or investigation (regulation 28).

If the OHC reports an unsafe condition, the employer can show leadership and commitment by:

1. Immediately protecting the health and safety of workers at risk until the unsafe condition or hazard is corrected;
2. Correcting the basic cause of the problem;
3. Informing workers and the OHC about the corrective action; and
4. Helping the OHC to monitor the corrective action to ensure that it solved the problem.

The employer may not agree with the OHC's recommendations. If so, the employer is expected to provide the OHC with a written explanation. Any OHC member has a right to contact OHS Division for assistance and advice (SEA 3-29).

Where a matter is referred to an officer

- The OHO may determine that there is no problem or concern and inform the person(s) involved.

- The OHO may try to mediate a solution. If a resolution cannot be reached, the OHO provides a written report to the employer and OHC stating why a solution cannot be reached.
- The OHO may identify violations of the legislation and issue a notice of contravention.

Anyone has a right to contact an OHO.

Providing access to records

The employer can help the OHC identify problems in the workplace by allowing it to review records, logs and books the employer must keep (regulation 48). Examples: First-aid registers, crane operators' logs, and lists of biological and chemical substances. However, personal medical information may not be released (regulation 10).

Responsibilities of managers, supervisors and workers

The responsibilities of managers and supervisors reflect the employer's duties.

Managers

To help the OHC, managers should:

- Allocate sufficient resources to OHC activities (i.e., money, time, facilities, tools and equipment);
- Encourage supervisors and workers to cooperate with the OHC and get involved;
- Involve the OHC in all health and safety activities;
- Help to schedule OHC activities, such as inspections and investigations;
- Separate health and safety issues from unrelated concerns; and
- Work and act safely and ensure that supervisors work and act safely.

Supervisors

To support their managers, supervisors can:

- Ensure workers know the OHC's role and who their OHC member is;
- Promptly correct concerns reported by the OHC and workers, and inform the appropriate manager of concerns that cannot be resolved;
- Introduce new workers to the local OHC member;
- Involve the OHC in safety meetings, safety talks and local area inspections;

- Help the OHC carry out inspections and investigations. Example: The supervisor might allow a technical specialist to help the OHC inspect a piece of equipment in another area;
- Distribute information provided by the OHC and ensure that workers are aware of the latest OHC minutes;
- Encourage workers to serve on the OHC; and
- Work and act safely and ensure workers do the same.

Workers

To support the OHC, workers can:

- Serve on it;
- Cooperate with the OHC during its activities. Example: A worker might help the OHC inspect a piece of equipment or demonstrate a safe work practice;
- Promptly report concerns to the supervisor and informing the local OHC member about concerns the supervisor cannot resolve;
- Work and act safely and help inexperienced workers work safely; and
- Help the employer, managers and supervisors support the OHC.

To help the OHC and employer, the workers' unions can:

- Select influential workers to serve on the OHC;
- Encourage union members to support the OHC;
- Share union safety information with OHC members and the employer;
- Encourage OHC members to attend occupational health and safety training sanctioned by the collective agreement; and
- Separate health and safety issues from unrelated concerns.

Review

Everyone has a responsibility for health and safety within the WRS. The OHC helps the employer and workers maintain the system's effectiveness. In order to do this, everyone must support the OHC.

The employer can support the OHC by providing leadership, identify OHC responsibilities and help members carry them out properly. The OHC requires effective leadership in its members. That is why it is so important for the employer to serve on the OHC or appoint influential employer members.

Manager and supervisor support is also critical to the success of the OHC. Managers can help the OHC by allocating adequate resources and obtaining the support of their subordinates. Involve OHC members in supervisory safety activities and deal with concerns. Finally, workers can support the OHC by getting involved.

In the end, the OHC will only be as effective as the employer and workers want it to be.

Chapter 5: Holding effective committee meetings

- Meeting requirements
- Plan meetings
- Manage meetings and solve problems
- Develop recommendations
- After the meeting
- Role of the employer

Introduction

This chapter covers how OHCs can get the most out of meeting time. Meetings keep OHCs concentrating on the central role of internal auditors of the WRS. Meetings offer OHC members a chance to discuss concerns and make suggestions for corrective action. By meeting regularly, discussing and resolving concerns, the OHC and employer demonstrate that they take health and safety seriously. Items that should be discussed at meetings include:

- The effectiveness of the WRS;
- The effectiveness of health and safety programs and policies;
- New concerns;
- Inspection and incident investigation reports;
- The status and disposition of ongoing concerns;
- Consultations with OHOs, equipment vendors and safety consultants;
- Health and safety training;
- The effectiveness of the WHMIS program and worker instruction;
- Refusals to work under SEA 3-31; and
- Information and directives from government agencies relating to health and safety.

Organizing an effective meeting involves planning, managing, solving problems and preparing recommendations. Examples of minutes and meeting planning forms, communications and problem solving techniques are found in the appendices.

Meeting requirements

- OHCs are expected to meet at least once every three months. OHCs in workplaces with hazardous conditions are encouraged to meet more frequently.
- A co-chair, an occupational health officer, or OHS Division may call special or emergency meetings.
- Management members may not outnumber worker members at meetings.
- Post a copy of OHC minutes at work and file a copy for future reference.

Plan meetings

You may wish to plan your OHC meetings by following these steps:

1. Provide members with a chance to contribute to the agenda.
2. Add unresolved concerns from previous meetings on the agenda.
3. Finalize the agenda, select meeting location and decide what time the meeting will begin and end.
4. Distribute the meeting announcement, agenda and copies of the last meeting minutes a few days before the meeting so members can prepare.
5. Arrange for necessary OHC members to attend for a quorum.
6. Prepare adequate and comfortable meeting room facilities.

Manage meetings and solve problems

Steps in running a productive meeting:

1. Welcome members and open the meeting.
2. Outline the agenda and get a consensus on the topics to be discussed.
3. Review the minutes of the previous meeting.
4. Deal with unfinished business from previous meetings and any new business.
5. Allow a full, but business-like discussion of each agenda item.
6. Allow everyone to present his or her views and have a voice in decision making, but discourage anyone from dominating the meeting.
7. Keep track of meeting time.
8. Summarize progress of the meeting periodically.

9. Get a consensus on recommendations.
10. End the meeting with a review of:
 - What has been accomplished;
 - Who is responsible for carrying out each task agreed to;
 - What has yet to be resolved; and
 - Upcoming events, such as the next inspection or meeting.
11. Periodically evaluate meeting effectiveness.

One co-chair should run the meeting and maintain order. The co-chair should proceed down the agenda systematically; keeping the OHC focused on each item. The co-chair should also allow everyone to state their opinion, avoid having people speak all at once and keep discussions focused on health and safety. Someone should summarize comments and take minutes.

If the OHC agrees, the employer can provide secretarial, word processing and support services. People who are not OHC members should not vote or participate in discussions.

Some items to concentrate on:

- *Inspection reports and worker concerns.* These help evaluate the organization's WRS. Example: Inspection reports may:
 - Identify a need for better training of new hires;
 - Explain why incidents happen in the same areas; and
 - Suggest improvements in existing hazard controls.
- *Root causes.* Discussions should focus on the root causes of problems. A root cause, such as inadequately designed work processes and equipment, allows a hazard to develop and persist.
- *Ongoing concerns.* Some concerns, like ventilation problems, may take a long time to fix. Monitor ongoing concerns during inspections and discuss regularly to ensure they are not forgotten. OHC members should be aware of applicable technological advances.
- *Health and safety promotion.* Discuss what areas a promotional program for health and safety would improve. Example: Back injury prevention, housekeeping, fire prevention or home safety.
- *Orientation and training programs.* The OHC should periodically review programs and help the employer keep them effective.

| Problem-solving ideas | |
|---|--|
| <p>Use team problem-solving techniques</p> <ol style="list-style-type: none"> 1. Recognize the problem. 2. Label the problem. 3. Analyze the cause of the problem. 4. Explore possible solutions to the problem. 5. Make a recommendation to solve the problem. 6. Prepare an action plan to implement the recommendation. | <p>Ask 'why' five times</p> <ol style="list-style-type: none"> 1. Why did the machine stop? A fuse blew because of overload. 2. Why was there an overload? There wasn't enough lubrication in the bearings. 3. Why wasn't there enough lubrication? The pump wasn't pumping enough. 4. Why wasn't the lubricant being pumped? The pump shaft was vibrating because of abrasion. 5. Why was abrasion caused? The filter wasn't replaced correctly during maintenance due to a misunderstanding caused by a poorly written work procedure. The improperly replaced filter allowed metal chips to get into the pump shaft. |
| <p>Use checklists</p> <p>Ask <i>why, where, when, who, what</i> and <i>how</i> to clarify issues.</p> <ol style="list-style-type: none"> 1. Why is it necessary? 2. Where should it be done? 3. When should it be done? 4. Who should do it? 5. What should be done? 6. How should it be done? <p>Sometimes, asking the question 'what other uses?' can be useful in solving problems. Example: How can an issue be:</p> <ul style="list-style-type: none"> • Adapted? • Modified? • Substituted? • Magnified or maximized? • Minimized or eliminated? • Rearranged? • Reversed? • Combined with something else? | <p>Brainstorm</p> <ol style="list-style-type: none"> 1. Have everyone put ideas forward to resolve the problem. 2. Write out ideas on flipchart sheets and post them to wall. 3. During idea generation, do not criticize or reject anyone's ideas. Do not discuss any idea until idea generation is complete. 4. When everyone has run out of ideas, begin to systematically discuss the pros and cons of each idea. List the attributes of the situation. 5. Below each attribute, place as many alternatives as you can think. 6. When completed, make random runs through the alternatives, picking a different one from each column and assembling the combinations into entirely new forms of your original subject. 7. Continue the process until the best solution(s) is identified. |

Look for the underlying causes of problems

Some problems are like icebergs - only 20% can be seen above the surface. It's important for OHC members to look for the root causes of concerns. Example: Are back injuries caused by unsafe workplaces or by deeper issues, like poorly designed work areas or inadequate mechanization?

Once you recognize a problem, identify and categorize its components. Then, analyze the problem and its components and identify the root cause. Example: A back injury problem may have components relating to work procedures, work process layout or equipment.

Consider both facts and feelings

Once the OHC records everyone's views, it may be useful to divide the evidence into facts (i.e., hard information) and feelings (i.e., values, beliefs, attitudes and emotions). The OHC can then consider how to address each issue (see table).

Involve stakeholders

Involving stakeholders will help OHC members identify the root causes of problems. Consider the most effective way of gaining their support. Obtaining their views on cost-effective solutions builds support for your recommendations.

Consider what is known and not known about the problem

Sometimes it is useful to list what is known presently about a problem and what is unclear. This can identify areas for research and break up blind spots.

Review the sequence of events

Consider when the concern was recognized. Find out what happened immediately before it surfaced. Example: Was a work process modified? Were new materials or substances introduced?

| Problem analysis table | | | |
|---|-------------|----------------|--|
| Data | Fact | Feeling | Possible solution |
| 1. Nurses injuring their backs while lifting patients out of bed, particularly during emergencies on night shift. | ✓ | | <ul style="list-style-type: none">• Review back injury reports. Discuss with nurses and employer.• Develop written program with the OHC specifying procedures required to classify patients (i.e., weight, size, health status), label the risk posed by lifting each class of patient and steps to be taken to minimize risk to nurses.• Include the lifting techniques and number of staff required for each class of patient. Specify the number of lifts that must be available in the ward. |

| Problem analysis table | | | |
|--|------|---------|---|
| Data | Fact | Feeling | Possible solution |
| | | | <ul style="list-style-type: none"> • Until the program can be finalized, we recommend that, on the night shift, supervisors ensure two nurses are always used to lift patients. • Explore arranging a back-injury prevention course. • Ensure a patient lift is always in hall by rooms. Discuss implementation with employer. See regulation 470. |
| 2. Shift short-staffed due to budget cuts. | ✓ | | <ul style="list-style-type: none"> • Find out what other staff can be summoned to help lifting patients on the night shift. • Examine the costs of injury claims against the cost of hiring new staff. • Recommend management request money from the health board to hire more staff. |
| 3. Only one patient lift available on the floor during shift. | ✓ | | <ul style="list-style-type: none"> • Determine if lifts can be moved from other floors during the night shift. • Find out if new lifts can be purchased. • Can lifts be borrowed from other facilities? |
| 4. Nurses reluctant to use lift because they do not like its design | | ✓ | <ul style="list-style-type: none"> • Find out exactly why the nurses do not like the design. • Have nurses been trained adequately to use the lift? Is the unit obsolete, unstable or broken? Do patients resist getting into it? Can the patient lift be modified or fixed? |
| 5. Nursing supervisor feels she is unfairly blamed for the problem. Feels nurses aren't using safe lifting procedures. | | ✓ | <ul style="list-style-type: none"> • Discuss with nursing supervisor. Get her views on possible causes and solutions for the problem. • Reassure her. |
| 6. Nurses want more staff and newer patient lifts. Management says it has no money. | | ✓ | <ul style="list-style-type: none"> • Explore budgetary situation with employer. • See recommendations 2 and 3. • Propose purchasing new lifts if more lifts cannot otherwise be made available. |

Develop recommendations

Once a problem has been recognized and its components outlined, the OHC can conduct in-depth research and develop recommendations.

1. *Define the problem* – Identify the immediate problem, its components and the root cause from your initial research.
2. *Research the issues* – Involve all OHC members. Do not jump to conclusions. Review relevant legislation, standards at other workplaces, equipment manuals, SDSs, records and diagrams before making recommendations. Look for the underlying causes for the problems. Ask stakeholders for their opinions and suggestions.
3. *Select practical choices* – Corrective action is usually taken to protect workers and improve performance. Consider cost-effective ideas to help the employer meet both objectives.

Review the alternatives and select those with the most chance of success. Prepare several potential solutions. Examples: Improved worker training and job procedures, better equipment and tools, better work environment controls, replacement of equipment or workplace redesign. Consider controls at the source, along the path to the worker and at the level of the worker.

Develop short-term measures to deal with the immediate causes and long-term solutions to remove the root cause. Outline the advantages, disadvantages and costs of each option. Consider the consequences and costs of not implementing each solution (e.g., continuing injury claims or poor product quality).

Consider:

- The nature of the hazards and their risk;
 - The cost and inconvenience of corrective action;
 - Any new hazards that corrective action might create;
 - The costs of corrective action versus the status quo;
 - The cost advantages of corrective action;
 - Compliance issues; and
 - Total costs and final cost comparisons of the solution versus the status quo.
4. *Reach agreement* – Use discussion and consensus to gain agreement rather than votes that can split the group into competing factions. Plan an implementation schedule (i.e., who does what and by when for each recommendation). Both co-chairs should sign the final recommendations.
 5. *Present the recommendations* – Only the employer has authority to take corrective action. The OHC must be able to convince the employer that its recommendations be implemented. This is why it is so important for the employer and workers to select influential members.

Clearly state recommendations to resolve each concern. Put forward proposals and implementation schedules in a way that supports agreement and promotes action.
 6. *Follow up* – Keep the employer and workers informed while taking corrective action. Check the effectiveness of the improvements during the next inspection.



Implementation schedule checklist

| | Yes | No |
|--|--------------------------|--------------------------|
| 1. Are the actions measurable? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Does each person have clear duties and performance standards? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Are the deadlines practicable (realistic)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Are resources identified? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Are actions logically sequenced? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. How will actions be monitored? | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Is there a contingency plan if things go wrong? | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Is there a way of evaluating the results of the plan? | <input type="checkbox"/> | <input type="checkbox"/> |

After the meeting

Promptly draw up meeting minutes and ensure both co-chairs sign.

1. Distribute to each OHC member.
2. Post in the workplace for the information of workers.
3. Review by the OHC’s inspection team immediately before the next inspection.
4. Distribute with the agenda of the next OHC meeting.

The co-chairs should follow-up with the employer on the status of corrective action. Check to see that agreed-upon tasks have been carried out by the applicable OHC members.

Role of the employer

The employer is expected to act on the OHC’s recommendations and inform it about planned/ intended action. If the employer does not agree with the OHC’s recommendation, the employer must provide a written explanation as to why to the OHC.

When the employer does not act, it is often for the following reasons:

- The employer believes that action cannot be taken immediately because resources are not available. Example, the employer may not act because of lack of money, production commitments or insufficiently trained staff.

- The employer may be presented with an inadequate number of choices. Example: The OHC may only propose the most expensive and time-consuming solution to the concern.
- The recommendations may be supported inadequately. Example: The OHC may not have provided the employer with enough information about the nature and severity of the problem.
- The employer may not agree with the OHC's recommendation or may believe that no hazard exists. In this case, the employer will often want to study the matter.

Try to anticipate these problems when conducting research and preparing recommendations.

Review

OHC meetings help employer and worker members to communicate with each other about health and safety. They allow the OHC to discuss concerns and develop resolutions.

OHCs are required to meet at least once every three months. Quorums must be present at all OHC meetings. Copies of minutes must be posted for the information of workers. Keep a copy on file for future reference.

Carefully plan meetings. Manage and follow up to ensure the OHC benefits from meetings. Use problem-solving techniques to analyze concerns and resolve differences of opinion.

Ultimately, meetings are of little use if the recommendations they produce do not convince the employer to take corrective action. This is why workers and the employer should select influential members. OHCs will succeed if they work hard to carefully identify the root causes of problems and develop cost-effective options for the employer.

The employer is expected to act on the OHC's recommendations and report on the planned corrective action. If the employer does not agree with the OHC's recommendations, he or she is expected to state why in writing.

The OHC can help evaluate the effectiveness of the corrective action by checking to see that it has solved the problem. Keep everyone involved informed.

Chapter 6: Maintaining committee effectiveness

- Team building
- Training
- New members

Introduction

The more skilled OHC members become in problem solving and interpersonal communication, the more successful the OHC will be.

Team building

A team is a group of individuals working together to achieve an agreed-upon goal. Successful teams are much more effective than any individual member working alone. OHCs are intended to be teams of employer and worker representatives working cooperatively towards the goal of maintaining a healthy and safe workplace.

OHC members are expected to not bring their management or union hats into OHC business. Management members must not represent the views of the employer, or worker members the views of workers. Both employer and worker members are expected to work together to protect the health and safety of everyone in the workplace. For this reason, do not deal with issues that are not health and safety matters.

Establish membership

OHC members must feel they are able to express their views freely and without risk of retaliation. Members must feel accepted by the group. Establish leadership and authority within the OHC and manage in a way that encourages information sharing, cooperation and compromise.

Clarify the expectations of OHC members

OHC members should have a clear idea of what the OHC is for, what it can do and what it cannot. Members should have a chance to express what they want to get out of participating.

Develop group norms

Your OHC should develop term of reference to deal with:

- How member disagreements will be handled;
- How information will be shared;
- How members can support each other;

- How decisions will be made; and
- How priorities will be set.

The employer, union or workers should consider periodically rewarding or recognizing the contributions of OHC members.

Agree upon goals

Effective OHCs have a clear idea of what they want to accomplish over the short and long term. The co-chairs provide leadership and help set the tone for the OHC. Each member should have a chance to participate and contribute towards setting goals. Clearly state OHC goals so each member understands them. Consider circulating a list of OHC goals and objectives with the agenda of meetings or posting them with the minutes.

Set measurable objectives to achieve the goals

Once the OHC knows where it wants to go, carefully plan how to go there whenever possible. In other words, the OHC should develop a yearly work plan. The plan should be measurable so the OHC can evaluate how well it meets its objectives. Example: Suppose one goal is to organize a staff safety meeting three times yearly. The OHC will plan how to achieve this goal. Operational planning will help set priorities and establish responsibilities. At the end of the year, the OHC reviews the plan's progress, determines if this objective was accomplished and what resulted.

Establish roles and responsibilities for each member

The OHC decides each member's responsibilities. If tasks such as chairing meetings will be rotated, agree on this when the OHC is formed. Establish procedures for:

- Assigning responsibilities (e.g., taking minutes, chairing meetings, organizing inspections);
- Making decisions;
- Communicating and coordinating efforts;
- Monitoring progress; and
- Evaluating results.

The roles and responsibilities of each member should be clear. This will avoid duplication of effort, close gaps in responsibilities and improve efficiency.

Use internal communications to get all OHC members involved. Periodically quiz or survey members about their expectations, roles and responsibilities. Keep members in touch with each other. Make sure each person understands their role and the roles of the other OHC members.

Tie individual responsibilities to the goals of the OHC. Make sure everyone understands the link.

Agree on ways of handling disagreements

From time to time, members will disagree. Example: Members may not be able to agree on how to control a hazard. Likewise, the OHC may not agree with corrective action proposed by the employer. The OHC should decide how to resolve these problems. Methods might include:

- Using consensus to make decisions;
- Asking a neutral third party to mediate;
- Negotiating mutually acceptable compromises; or
- Using project teams to recommend options to solve difficult technical problems.

Clarify how members will support each other

Co-chairs need each other's support. Members have expectations of other members. Example: The inspection team may expect a machinist on the OHC to help them inspect certain equipment. Encourage members to express their needs and concerns to clarify expectations.

Consider how to involve influential workers not on the OHC

Who represents essential groups within the organization that the OHC must influence? How can the OHC convince these individuals to support the OHC? Can they be involved in OHC activities such as inspections, investigations and resolving technical concerns? Can they advise the OHC on practical methods to improve health and safety?

Consider expectations placed on the OHC

Consult workers, union members, supervisors, managers and the employer about their expectations. Think about how the OHC can serve these needs most effectively. Make sure everyone knows what the OHC can do and what it cannot. Explain how they bring concerns to the OHC and how the OHC will deal with them.

Consider organizational factors that affect the work of the team

The structure of the organization can impact how the work is done. Example: Some OHC members may work on the night shift, others on the day shift or sections of the organization may not share information. Identify and discuss these concerns with the employer. The employer can demonstrate commitment by resolving them and provide the OHC with adequate resources (money, time and support).

Consider how to evaluate the performance of the OHC

Each year, compare performance against stated goals. Draw up a plan to deal with shortcomings. Tell workers about successes so they will have confidence in the OHC. Let the employer know about OHC members who have performed well so that they can be recognized for their service.

The employer is ultimately responsible for evaluating the effectiveness of the OHC. An effective reward system will help OHC members develop a sense of accountability and pride in their contribution to health and safety.

Training

Plan to improve OHC performance through training. Include the roles and responsibilities of OHCs. Equip members to deal with specific workplace issues such as hazard control or equipment inspections. Build training into the OHC's work plan for each year.

New members

How will the OHC educate new members and help them be effective?

- Set up a buddy system to help new members learn about the OHC's purpose and functions.
- Give each new member a specific assignment or responsibilities within the OHC to get involved and learn by doing.
- Spend some time at an OHC meeting reviewing the goals and objectives of the OHC.
- Prepare a small orientation package for new members.
- Arrange for new members to obtain training in their duties and responsibilities.

Review

Teamwork can help an OHC accomplish far more than any individual member can alone. To build a team spirit:

- Establish a sense of membership or belonging;
- Encourage members to state what they want to get out of the OHC;
- Clarify what the OHC is for, what it can do and what it cannot;
- Develop commonly accepted norms of behaviour;
- Get agreement on the OHC's overall goals and its yearly work plan;
- Link the duties of each OHC member to the overall work plan of the OHC;

- Agree on how to settle disagreements;
- Encourage members to support each other;
- Get the support of influential outsiders;
- Assist the employer to remove organizational impediments to the OHC's performance; and
- Periodically evaluate and improve the OHC's performance.

Reinforce team building by training new members in their responsibilities and ensure smooth integration into OHC operations.

Chapter 7: Inspections

- Types of OHC inspections
- Training for inspections
- Planning inspections
- What to inspect
- Pre-inspection meeting
- What to do during inspections
- Handling the results
- When an unsafe condition is found

Introduction

One of the key duties of the OHC is to inspect the workplace. An inspection is a planned walk-through or examination of a workplace, selected work areas or particular hazards, machinery, tools, equipment and work practices. Regular inspections reduce incidents and occupational illnesses and improve the WRS. This is why the employer must arrange for the OHC to inspect the workplace regularly (regulation 28). Develop an inspection schedule with the employer. Managers, supervisors and workers have a duty to report hazards and cooperate.

OHCs are involved in regular, planned inspections of the workplace, inspections with OHOs and intermittent inspections.

OHC inspections should complement those performed by managers, supervisors and workers. Example: The employer should encourage supervisors and workers to inspect tools, equipment, machinery and PPE at the start of each shift and report defects immediately. Likewise, supervisors should be encouraged to monitor conditions in their work areas constantly and take corrective action as required. Workers should be encouraged to monitor PPE for defects constantly.

Inspections help the OHC to:

- Compare existing conditions with standards, such as regulations and industry practices;
- Determine if gaps exist between workplace practices and standards set by the organization, industry or legislation;
- Identify the root causes for any gaps; and
- Develop recommendations for corrective action.

The OHC can support supervisors and workers by finding defects they have become used to. Examples: Housekeeping hazards, unsafe work practices and hazards in out-of-the-way places, like storage areas.

Inspections are an excellent way of communicating with workers, and finding and correcting problems before they cause harm. During an inspection, ask workers about their concerns. Knowing about problems is the first step in resolving them.

Ways the employer can help the OHC carry out inspections:

- Provide training.
- Provide resources and time.
- Help the OHC plan and schedule inspections.
- Help the OHC develop checklists of what to inspect.
- Encourage the OHC to look for the root causes of problems.

Effective inspections concentrate on fact finding and not fault finding or blame fixing.

Types of OHC inspections

There are three types of inspections that an OHC will be involved in: regular inspections, OHO inspections and intermittent inspections.

Regular inspections

The employer should help the OHC to organize and schedule regular inspections. Publicizing the schedule may encourage people to hide hazards and unsafe work practices. Some OHCs meet shortly after each inspection, providing a chance to discuss the root causes for what was found while memories are still fresh.

Access to records – The OHC can review records, logs and books that the employer is expected to keep. Examples: First-aid registers, crane logs and lists of chemical substances (regulation 48). However, the OHC may not access personal medical information (regulation 10).

Inspections with an occupational health officer

The worker co-chair or a designate should accompany an OHO visiting the workplace. The employer should enable the co-chair to accompany the OHO (regulation 20). This allows the employer to demonstrate commitment to health and safety. It helps the OHC discuss concerns and allows the OHO to provide advice.

Intermittent inspections

Incidents and dangerous occurrences, equipment installations, new workers and other special circumstances may trigger additional inspections.

Training for inspections

Both the employer and OHC members should be familiar with:

- The training and information needed to work safely;
- Work processes and work areas;
- Workplace hazards and hazardous areas;
- Applicable PPE and its limitations;
- Engineering controls in the workplace;
- Applicable health and safety standards and legislation;
- The recommendations of equipment and material suppliers;
- How to record information; and
- How to report and deal with concerns.

Planning inspections

The more thorough and professional the inspection program, the safer and healthier the workplace. The effectiveness of each inspection depends on the ability to measure existing conditions against clearly defined standards. Gather standards from equipment manuals, trade publications, legislation, suppliers and industry associations.

Build standards into checklists and other inspection reporting systems. When planning inspections consider:


- What hazards are likely to be encountered and where?
- What needs to be inspected?
- What aspects of each item need to be looked at and how?
- What conditions and work practices need to be inspected?
- How often must the OHC inspect these items, conditions and work practices?
- Who will conduct the inspections (co-chairs, experienced workers or outside experts)?

Consider the impact of the inspection on work schedules. Example: Will a machine have to be shut down for inspection? Watch for unexpected hazards, like welding outside of designated areas.

Inventories and checklists

An inventory (equipment, materials) tells you what to inspect. A checklist tells you what to look for when you are inspecting each item in the inventory. The OHC can help the employer to prepare an inventory of what to inspect.

Prepare checklists using legislation, industry standards, equipment manuals and by interviewing experienced workers. Checklists should be updated regularly.

|  Checklist for emergency procedures and first aid (partial list) | | |
|--|--------------------------|--------------------------|
| Emergency procedures | Yes | No |
| 1. Are there emergency procedures in place? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Have workers and OHC been involved in procedure development? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Is everyone familiar with the procedures and their responsibilities? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Are there enough emergency exits available throughout the workplace? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Are emergency exits clearly marked and free from obstruction? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Are there enough properly serviced and approved fire extinguishers? | <input type="checkbox"/> | <input type="checkbox"/> |
| First aid | Yes | No |
| 1. Is the first-aid box properly stocked? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Can workers locate the first-aid box? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Is someone trained in first aid always available? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Do workers know who to contact for first aid? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Is the first-aid kit inspected and restocked regularly? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Is an up-to-date first-aid register kept to record injuries? | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Is the register inspected regularly to look for trends and sources of injury? | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Are all incident and dangerous occurrences reported or investigated? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Are injuries reported to the WCB? | <input type="checkbox"/> | <input type="checkbox"/> |

OHC inspectors must know exactly what to look for. Checklist questions should be as precise as possible. Clearly identify and describe what to inspect in each item and part.

Checklists for jobs that are rarely performed usually will be more detailed than checklists for jobs that are frequently inspected. Look beyond checklists and identify root causes of problems.

What to inspect

Four things should be inspected regularly:

1. People
 - Training
 - Work practices, work rules and safety procedures
 - Supervision
 - Experience
2. Vehicles, tools and equipment
 - Machines and mobile equipment
 - Production, machine-tools and related equipment
 - Engines, electric motors and other power supplying equipment
 - Electrical equipment, switches, circuits
 - Hand tools and equipment, such as wrenches and power tools
 - PPE and clothing
 - First-aid stations and emergency equipment, such as eye washes
 - Fire protection and emergency response devices, such as fire extinguishers and water supplies
 - Walkways, ramps, docks, parking lots, roadways
 - Elevators, hoists and lifts
 - Storage sheds and areas
3. Chemicals and biological substances
 - Products controlled under WHMIS
 - Biological substances
 - Other materials of concern to workers
4. Work environment
 - Housekeeping
 - Dust, fumes and vapours

- Work area design
- Light
- Hot and cold conditions

Pre-inspection meetings

Before the inspection, review documents that may help to identify, assess and control hazards.

Examples:

- *Inspection reports and records of concerns* – These files may show degenerative trends, recurring concerns and ongoing problems.
- *Incident reports, WCB claims and first-aid registers* – These may show where and how people are injured or made sick.
- *Product documentation* – Documents for chemicals, machinery, equipment and tools can help identify hazards and suggest controls. SDSs, OHS publications and industry literature can also provide assistance.
- *Plans and diagrams* – Review work process and floor plans to identify hazards, such as work area design flaws.

What to do during inspections

- *Follow up* – Ask workers about the effectiveness of corrective action taken since the last inspection. See if workers, supervisors and maintenance personnel are performing necessary inspections.
- *Communicate with workers* – Ask workers about their concerns.
- *Use monitoring equipment* – Noise monitors, chemical sensing equipment and other devices may be required to detect and evaluate specific hazards. If monitoring is required, the employer must provide equipment and training. If consultants are used, the OHC is to be involved.
- *Take careful notes* – Carefully describe each hazard, its seriousness and where it was found. Note all hazards, even those corrected at once. Precisely explain how to fix each problem.
- *Communicate with supervisors* – OHC inspectors should discuss with the supervisor what they found. The employer should ensure supervisors have a clear idea of what is expected of them and what they should do when a problem is reported. Employers and managers can support supervisors by ensuring they have the authority and resources needed to take corrective action.

Handling the results

Reports should help the OHC and employer to identify problems, assess their probability and severity, and take action. Keep careful records of inspections. Inspection records can be useful in tracking the progress of corrective action and identifying degenerative trends.

Report inspection results regularly. Clearly explain each hazard or concern and identify its location precisely.

Add the inspection results and any unresolved concerns on the agenda. Classify and rank the hazards in order of importance. The OHC discusses the agenda and develops proposals for corrective action. Keep some record of the concerns discussed. The co-chairs should discuss the recommendations with the employer.

File copies of each inspection report. Reports may be needed later for WCB claims and investigations, or used by OHOs. Post a copy in the workplace to let workers know what is being done about their concerns. Inform workers who have raised concerns.

When an unsafe condition is found

The OHC is expected to bring health and safety concerns to the employer. These include hazards and concerns identified during an inspection or investigation (regulation 28). When the OHC reports an unsafe condition, the employer is expected to:

- Protect the health and safety of workers at risk until the unsafe condition or hazard is corrected;
- Correct the root cause of the problem; and
- Inform workers and the OHC about the corrective action taken or planned.

When the OHC submits a concern to the employer, the employer is expected to deal with it. The OHC may ask OHS Division for advice about the corrective action taken (SEA 3-29). If a concern is not dealt with, the employer is to provide the OHC with a written explanation.

| Inspection report | | | | | | | | | |
|--|-----------------------|------------|--|---------------------|---|---|--|----------------|-----------|
| Area inspected: Building A | | | | | Date and time of inspection: June 11, 2014; 11 AM | | | | |
| Inspector and title: Barry Allen, worker co-chair | | | | | Date of report: June 11, 2014; 2 PM | | | | |
| Date report discussed: June 11, 2014; 4 PM | | | | | Number of items from previous report: 2 | | | | |
| Number of new items noted on this inspection: 3 | | | | | Total number of items on this report: 5 | | | | |
| Definitions | | | | | | | | | |
| Probability Frequent (workers are frequently at risk) Probable (hazard is likely to cause harm) Occasional (workers are occasionally at risk) Remote (hazard may cause harm but unlikely) Improbable (hazard unlikely to ever cause harm) | | | | | Severity Catastrophic (death and/or sever destruction) Critical (serious injury and/or property damage) Marginal (minor injury and/or property damage) Negligible (no injury and/or property damage) | | | | |
| Item (* denotes old items) | Hazard classification | | Hazard description | Specific location | Supervisor | Recommendation | Corrective action | Type of action | |
| | Probability | Severity | | | | | | Temporary | Permanent |
| *1 | Probable | Critical | Guard missing on shear blade on cutting press #2. Guard ordered May 07. Press in temporary use today to meet emergency order. Guard still missing. | SW corner in Bay 2 | Hard Hapless | Press not to be used until guard replaced. Check with purchasing and maintenance. Find out why guard has not been received and installed. | Purchasing says they will have guard by tomorrow noon. To be installed by 4 PM. Purchasing to discuss slow delivery with vendor. | X | X |
| *2 | Improbable | Negligible | Cracked windows. Work order issued May 07. Not fixed yet. | South wall on Bay 3 | Herman Melville | Check with maintenance about status of work order. | Maintenance has windows. Will begin installation next week. | | X |
| 3 | Probable | Critical | Flammable debris building up under main motor. Was to be cleaned June 03. | Pump room | John Safetee | Clean area today. Supervisor will implement written housekeeping policy. | Supervisor will hold meeting tomorrow AM. Implement policy by Monday. | | X |
| 4 | Occasional | Marginal | Mirror in pedestrian walkway out of alignment. Some risk of pedestrian collisions. | Floor 2 | Gregory Peck | Post temporary warning sign. Call maintenance for adjustment. | Warning sign posted in PM. Maintenance adjusted mirror this evening. | X | X |
| 5 | Probable | Critical | Workers at cleaning tank not wearing respirators. | Floor 2 | Gregory Peck | Supervisor to review policy with workers and give more training. Respirator policy to be vigorously enforced. | Talked to supervisor. He will hold meeting tomorrow. | | X |

Review

Inspections compare conditions with standards. They allow the OHC to identify hazards in the workplace, communicate with workers and help the employer correct problems. An effective inspection program can prevent incidents and improve the WRS. Inspections are an essential responsibility of every OHC.

OHCs are involved in regular, planned inspections of the workplace and those conducted by OHOs. Encourage OHCs to conduct special inspections when necessary. OHC inspections should complement those performed by managers, supervisors and workers.

The employer can help the OHC to carry out inspections:

- Provide training.
- Provide resources and time.
- Help plan and schedule inspections.
- Help develop inspection checklists.
- Encourage the OHC to look for the root causes of problems.

Plan to inspect:

- People;
- Vehicles, tools and equipment;
- Chemical and biological substances; and
- The work environment.

During each inspection:

- Follow up on corrective action;
- Carefully identify and describe concerns;
- Use appropriate monitoring equipment and inspection tools; and
- Communicate with workers and supervisors.

Classify and rank concerns, in order of importance, and place them on the agenda. Discuss the results of the inspection at an OHC meeting and develop recommendations for corrective action. Have the co-chairs discuss the recommendations with the employer. The employer must:

- Take corrective action to protect the health and safety of workers until the hazard is corrected;
- Correct the root cause of the problem; and
- Advise the OHC and workers about the corrective action.

If the employer does not agree with the OHC's recommendations, the employer must provide a written explanation to the OHC.

Chapter 8: Investigating incidents

- Plan investigations
- Carry out investigations
- Find the causes
- Take action

Introduction

An incident is any unplanned event that causes injury. A dangerous occurrence (regulation 9) is any event that could have caused injury but did not. Dangerous occurrences are often called near misses.

Investigations of dangerous occurrences can prevent incidents. Investigations of incidents can prevent the same thing happening again. It is very important to investigate both incidents and dangerous occurrences. All dangerous occurrences and incidents should be investigated, whether they have to be reported to OHS Division or not. A sample of an incident investigation form is included in Appendix 2: Forms.

Investigations identify health and safety problems, and help prevent future incidents and dangerous occurrences. They should not be blame-fixing exercises. Each incident and dangerous occurrence usually has several contributing factors, not all of which are obvious. Investigators must look for the deeper causes and simply not record events.

The employer must ensure that the OHC investigates every incident that causes (or may cause) the death of a worker or requires a worker to be hospitalized for more than 24 hours and dangerous occurrences (regulations 29 and 31).

If the incident involves a fatality, once the injured are cared for and the site is made safe, the scene must not be disturbed until an OHO has investigated the area (regulation 30).

Reportable incidents and dangerous occurrences

The employer must report to OHS Division:

- Fatalities;
- Incidents that put a worker in hospital for more than 72 hours (regulation 8); and
- Dangerous occurrences described in regulation 9.

Both regulations 8 and 9 list what the reports must include. The employer provides copies of reports to the OHC.

Plan investigations

The better the planning, the better the investigation. The better the investigation, the easier it is to avoid a similar incident or dangerous occurrence. The employer works with the OHC to prepare an investigation plan setting out the following.

- *Investigations* – What incidents and dangerous occurrences will the OHC investigate besides those listed by the regulations? The employer and OHC are encouraged to investigate all incidents and any dangerous occurrence that could have hurt someone.
- *Procedures* – How will the OHC investigate incidents and dangerous occurrences? Employers, OHCs, workers and supervisors should know exactly what to do if an incident or dangerous occurrence happens.
- *Training* – The employer must ensure that OHC members are trained in their responsibilities. Each co-chair should attend workshops on how to investigate incidents and dangerous occurrences. Employers are also encouraged to attend. Safety associations, consultants and [WorkSafe Saskatchewan](#) provide training.
- *Resources* – The employer should ensure that the necessary tools and PPE are available.

Standards

Incidents and dangerous occurrences often happen because of departures from accepted standards. Example: Sometimes safety devices are disabled to increase production, contrary to the rules.

Generally, investigations should:

1. Compare what should have happened with what actually happened;
2. Determine what gap exists between the two;
3. Determine why the gap developed; and
4. Recommend appropriate corrective action to prevent a recurrence.

Use government regulations, company standards and industry publications to decide what standards should have been in place. This data can also help to decide what corrective action is required.

Carry out investigations

Every incident that causes (or may cause) the death of a worker or a worker to be hospitalized for more than 24 hours must be investigated by the OHC co-chairs. The employer must prepare a report in consultation with the OHC, as set out in regulation 29. A copy must be sent to OHS Division at the request of an OHO.

The employer must notify OHS Division about fatalities, serious injuries and dangerous occurrences (regulations 8 and 9). Where there is a fatality or foul play is suspected, call the RCMP or local police.

Do not disturb the site of a fatality, except to relieve human suffering, until an OHO has investigated. Where an OHO cannot investigate and gives permission, the site may be cleared once photos and drawings are taken and the OHC co-chairs have investigated (regulation 30).

The OHC's investigation should find the root causes of the incident so that it will not happen again.

Investigations normally include these steps:

1. Secure the scene and report the incident or dangerous occurrence;
2. Study the scene;
3. Interview witnesses; and
4. Investigate the physical evidence.

Secure the scene and report the incident or dangerous occurrence

Things that the supervisor or manager must do:

- Assess and stabilize the situation;
- Make the area safe for emergency crews and investigators;
- Deal with the injured;
- Secure the scene and protect evidence until an investigation starts;
- Get the names of witnesses;
- Keep witnesses from talking with each other until they can be interviewed (to keep viewpoints distinct); and
- Report any incident or dangerous occurrence listed in the regulations to OHS Division.

Notifications sent to OHS Division must contain:

- The date, time and location of the incident or dangerous occurrence;
- A description of what happened;
- The name of each employer or contractor at the place of employment, including the employer of any injured or deceased worker(s); and
- The name, telephone and fax number of the person to be contacted for more information.
- The name of each injured or deceased worker, if applicable.

Study the scene

- Look at everything involved in the incident or dangerous occurrence. Carefully go over the debris and note the damage.
- Record the exact location of the incident or dangerous occurrence. Note the lighting, visibility, time of day and weather conditions. Look at the pattern of the debris and the location of each piece.
- Take photographs, measurements and drawings of the scene and everything involved. Be sure to make notes for each illustration.
- Label and catalogue each diagram, drawing and photo.
- Find out who was involved and who can provide expert advice on technical issues. Prepare a list of witnesses and experts to interview.
- Prepare a list of questions to ask.

Interview witnesses

Accurate interview records help reconstruct what happened and why. Therefore, the employer and OHC should reach an agreement about how to interview witnesses. Example: If the RCMP, police or OHOs have already interviewed witnesses, further statement taking may not be needed.

Contact everyone who can provide information.

- Interview eyewitnesses in private when possible, while memories are still fresh.
- Consider their emotional state, particularly if someone has been killed or seriously injured.
- Use open-ended questions and let the witnesses explain events in their own words.
- Avoid interrupting during their statements. Ask clarifying questions later if necessary.
- Use photographs and drawings to help witnesses remember.

If possible, have each witness visit the scene and show you what he or she saw. Witnesses will have seen events from different perspectives and their statements will often disagree. After you've interviewed eyewitnesses, talk to technical specialists, suppliers and experts. At the end of every interview:

- Ask each witness to review their statement;
- Clear up anything you do not understand;
- Get the phone number and address of each witness; and
- Thank each witness.

Investigate the physical evidence

Study the tools, equipment and product damages. Find out what the physical evidence indicates and why. Look at the details of the work environment. Consider visibility, noise, temperature, humidity and exposure to hazardous substances. Take photographs and make detailed drawings. Describe everything involved in detail, including work procedures and safety policies.

Collect product documentation, including the exact names of substances involved. Gather SDSs, blueprints and workflow diagrams that might help. Find out if any changes in design, products or work procedures were introduced before the incident or dangerous occurrence.

Compare what happened with the requirements of applicable standards. If requirements were not met, find out why.

Find the causes

The causes of an incident or dangerous occurrence can often be found by asking who, what, where, when and how for every essential event in the incident or dangerous occurrence until you know why the incident happened. Separate facts from theory and opinion. Look for underlying causes and avoid jumping to conclusions. Analyze the factors surrounding the incident.

Analyze the incident factors

Go through the incident, in stages. Ask why each event happened. Evaluate the roles of:

- People factors;
- Material factors;
- System factors (policies, plans and procedures);
- Environment factors (workplace conditions); and
- Work process factors (work flow design).

People factors – Example: The role of:

- The supervision provided;
- The instructions given at the time of the incident or dangerous occurrence;
- The training and experience of everyone involved; and
- Personal factors (i.e., inexperience, illness, stress).

Material factors – Example: The role of:

- Substances and materials;
- Tools, equipment and machinery; and
- Personal protective equipment.

System factors – Example: The role of:

- Health and safety policies, procedures and rules;
- Budgetary allocations toward health and safety; and
- Training provided for workers and supervisors.

Environment factors – Example: The role of:

- Weather conditions;
- Workplace conditions (visibility, noise, heat); and
- The time of the day, shift or week when the incident or dangerous occurrence happened.

Work process factors – Example: The role of the design of:

- The job itself;
- The work area and work flow; and
- Controls and safety features on equipment and machinery.

Find the incident causes

Three types of causes need to be looked at: direct, indirect and root.

Find the direct cause

The direct cause(s) usually occur(s) immediately before the incident or dangerous occurrence. Example: A direct cause might be a collapsing jack that dropped a car onto a worker.

Find the indirect cause(s)

Indirect causes set the stage for an incident and can include:

- Lack of training and supervision;
- Inadequate tools, equipment and materials; and
- Departures from safe work procedures.

The OHC and employer should try to find if there were any symptoms of a problem before the incident or dangerous occurrence. If there was, why did no one express concern? Why did the health and safety system fail?

Find the root cause(s)

An incident or dangerous occurrence may or may not have one ultimate root cause. Examples of root causes include:

- Inexperience (employer/worker);
- Weaknesses in the safety management program; and
- Equipment design flaws.

Take action

Review what happened at each step in the incident or dangerous occurrence. Prepare a report to describe events and recommend corrective action. Use photos and drawings to illustrate key points.

- Describe the work being done.
- Describe the immediate (direct) cause(s) of the incident or dangerous occurrence.
- Describe the indirect cause(s).
- Explain why the incident happened (the root cause).
- Recommend corrective action, including both short- and long-term controls, to prevent the same thing from happening again. Short-term controls should prevent a recurrence until longer-term controls can remove the fundamental causes.
- File a copy of the report and post summaries.

The employer should take appropriate corrective action based on the report and inform the OHC. Inspect the effectiveness of the corrective action.

Review

Incidents hurt people and damage property. Dangerous occurrences are near-incidents that could have hurt someone but did not. Pay particular attention to finding and correcting the causes of dangerous occurrences in order to prevent incidents.

Investigations can identify fundamental weaknesses in hazard controls, suggest improvements and prevent a recurrence. The employer is expected to involve the OHC in investigations.

The employer and OHC should prepare a plan to investigate incidents and dangerous occurrences before one occurs. Include the necessary procedures, personnel and resources.

Begin an investigation by securing the scene and reporting the incident or dangerous occurrence to OHS Division, when applicable. Identify witnesses and keep them from talking to each other. Next, note everything involved in the incident or dangerous occurrence. Take pictures of anything that

could be of significance. Describe and photograph the scene. Interview each witness individually. Study and record the damage done to property and describe the scene in detail. Compare what happened with applicable standards.

Next, analyze the evidence. Find out what directly caused the event. Trace each direct cause back to the underlying causes. Write a report once you are sure that you have found the root cause. Include recommendations for corrective action in the report. The employer should take corrective action and the OHC can follow up.

Chapter 9: Legislation

- The difference between an act and regulations
- How to locate and apply information in the legislation
- Key legislation for OHCs

Introduction

As OHC members, become familiar with the SEA, Part III, Occupational Health and Safety and the regulations. Familiarity with the legislation is useful in assisting the employer to resolve concerns and comply.

Codes of practice provide advice about how to comply with certain sections of the regulations. Example: A code of practice to advise employers how to comply with health and safety requirements for fire fighters.

This chapter helps you develop important skills in locating information in the legislation. Tables identifying key legislation that OHC members should know are included. They will help you acquire basic knowledge about your responsibilities within the WRS.

The difference between an act and regulations

Acts must be passed by a legislature. Regulations only require cabinet approval. Acts usually give government the authority to enact supporting regulations. The SEA sets out general duties and responsibilities. The regulations state what must be done to meet them. Example: The SEA requires employers in certain industries to have a safety program (SEA 3-20). The regulations spell out what must be in the program (regulation 22). The appendix to the regulations lists those workplaces requiring programs (Table 7).

How to locate and apply information in the legislation

Hard copies of the SEA and the regulations are available from the [Queen's Printer](#). A digital version of the SEA can also be viewed or downloaded from www.saskatchewan.ca.

The SEA contains all of the acts for LRWS (i.e., what used to be The Employment Standards Act, The Occupational Health and Safety Act, etc). Having these documents under one umbrella helps employers and workers easily locate legislative requirements in one location rather than referencing several different documents.

Use the tables of contents, index and section headings to find information

The SEA contains a table of contents. The table of contents is divided into parts and divisions.

Where would you look for information about occupational healthy and safety offences and penalties? If you answered Part III, Division 12, you are correct.

Additional information regarding appeals for occupational health and safety is in Part III, Division 8 of the SEA. Information about appeals and hearings for employment standards and occupational health and safety is located in Part IV of the SEA.

The table of contents is organized by section number and not by page number. Example, you can find general duties of employer in the SEA under Part III, Section 3-8.

Look in the preliminary matters sections to find definitions

The interpretation of part section in Part III contain definitions of terms such as discriminatory action (SEA 3-1(1)(i)) and plant (SEA 3-1(1)(w)).

Key legislation for OHCs

| Requirement <small>(This is a partial list. Specific regulations set out additional duties)</small> | Roles within the WRS | |
|--|---|--|
| | Employer | Committee |
| Consult and cooperate: SEA 3-8 | Consult and cooperate with the OHC to resolve matters of workplace health, safety and welfare. | Consult workers and help the employer resolve health and safety concerns. |
| Required information: SEA 3-16 | Subject to SEA 3-17 and SEA Part III, Div 7, provide all required information about workplace hazards, risk assessment and hazard control to: <ul style="list-style-type: none"> • The OHC or representative; or • The workers, where there is no OHC or representative. | Use the information to help the employer maintain a healthy and safe workplace. |
| Occupational health and safety programs: SEA 3-20 | Develop the program in consultation with: <ul style="list-style-type: none"> • The OHC or representative; or • The workers, where there is no OHC or representative The occupational health and safety program must be in writing and available to the OHC, representative, workers and the OHO. | Help the employer develop the program and keep it current. |
| Policy statement on violence: SEA 3-21(1) | Develop and implement a written policy statement and prevention plan to deal with violent situations where they have occurred or may be expected to occur. Consult with: <ul style="list-style-type: none"> • The OHC or representative; or • The workers, where there is no OHC or representative. | Helps the employer develop the policy statement and prevention plan and keep it current. |

| Requirement <small>(This is a partial list. Specific regulations set out additional duties)</small> | Roles within the WRS | |
|--|---|---|
| | Employer | Committee |
| Establishing OHCs: SEA 3-22 | <p>At every place of employment where there are 10 or more workers the employer:</p> <ul style="list-style-type: none"> Establishes an OHC; and Designates persons as members of the OHC. <p>An OHC must consist of two to 12 persons. At least half of the members must represent workers (other than workers connected with the management). No person may be designated as a member of an OHC who represents workers unless the person:</p> <ul style="list-style-type: none"> Has been elected by the workers whom the person would represent; Has been appointed in accordance with the constitution or bylaws of the workers' union; or Where there is more than one union, has been appointed pursuant to an agreement among all of those unions. | <p>Workers support the employer and OHC. Workers should agree to stand for selection as OHC members and, if selected, agree to serve.</p> <p>Workers can help the employer make the OHC effective by selecting influential and dedicated OHC members.</p> |
| Duty to post names: SEA 3-25 | Post the names of the OHC members in a conspicuous location at every workplace represented by the OHC. | OHC members should make themselves known to the workers they represent. |
| General concern of OHCs and representatives: SEA 3-26 | Help the OHC or representative to be effective. | The OHC or representative has a continuing concern for the health, safety and welfare at a place of employment. |
| Duties of OHCs: SEA 3-27 | <p>Help the OHC:</p> <ul style="list-style-type: none"> Participate in identifying and controlling health and safety hazards; Cooperate with the occupational health and safety service, if any; Establish, promote and recommend the means of delivery of health and safety programs for the education and information of workers; Maintain records of the duties of the OHC; Investigate any matter mentioned in SEA 3-31; Receive, consider and resolve matters regarding the health and safety of workers; and Carry out any other duties that are specified in the SEA or regulations. <p>Ensure OHC duties are not diminished by any other OHC established within place of employment.</p> | <p>Carry out duties properly and help the employer make the OHC effective.</p> <p>SEA 3-27(2) was added to clarify that other workplace OHCs do not replace the function of the OHC.</p> |

| Requirement <small>(This is a partial list. Specific regulations set out additional duties)</small> | Roles within the WRS | |
|--|--|---|
| | Employer | Committee |
| Reference to OHO: SEA 3-29 | If the employer cannot resolve a problem or address a concern raised by the OHC or representative with respect to worker health, safety and welfare, the employer shall provide the OHC or representative with written reasons for not doing so. | Where the parties cannot resolve a problem or address a concern, the employer, OHC, an OHC member or the representative may refer the matter to an OHO. Nothing prevents a worker from contacting an OHO directly. |
| Provision of reports by OHO: SEA 3-30 | The employer receives a copy of the report from the OHO. | The OHC receives a copy of the report from the OHO. |
| Refusal to work: SEA, Part III, Div 5 | Work with the OHC and refusing worker to resolve the issue. Refusals that cannot be resolved internally must be referred to an OHO for a ruling. | Investigate the refusal and help the employer and refusing worker resolve it. |
| Discriminatory action prohibited: SEA 3-35 | The employer cannot take discriminatory action against a refusing worker or an OHC member because that member carries out his or her duties under the legislation. | An OHC member who believes he or she has been discriminated against has a right to contact an OHO. |
| Copy of compliance undertaking or notice of contravention: SEA 3-42 | The person in contravention receives a copy of the compliance undertaking or notice of contravention from the OHO. | The OHC receives a copy of the compliance undertaking or notice of contravention from the OHO. |
| Progress report: SEA 3-43 | The person in contravention sends a progress report on corrective action to the OHO and provides the OHC with a copy within five business days of the deadline set on a compliance undertaking or notice of contravention. | The OHC receives a copy of the progress report. It may contact the OHO about the corrective action taken by the person. |
| Appeals: SEA, Part III, Div 8 | A person directly affected by a decision of an OHO has the right to appeal the decision. The employer may not take discriminatory action against a worker because of the matter. | Members have a right to appeal a decision of an OHO. Legislation protects OHC members from discriminatory action if they do so. |
| Incidents causing serious bodily harm: Regulation 8 | Report the incident to OHS Division and provide a copy of the notification to the OHC co-chairs. | The co-chairs receive a copy of the notification and are entitled to look into any concerns they have about the incident. |
| Dangerous occurrences: Regulation 9 | Report dangerous occurrences that could have injured a worker to OHS Division and provide a copy of the notification to the OHC co-chairs. | The co-chairs receive a copy of the notice sent to OHS Division. |
| Duty of employer or contractor to provide information: Regulation 15 | Make available to workers a copy of the SEA, regulations and standards. Post information sent by OHS Division for the information of workers. | Review information provided by the employer. Use the bulletin board to keep workers informed of OHC activities. |

| Requirement <small>(This is a partial list. Specific regulations set out additional duties)</small> | Roles within the WRS | |
|--|---|--|
| | Employer | Committee |
| Duty to inform workers: Regulation 18 | Inform workers about legislative requirements. Have a system in place to ensure that each worker knows and follows the legislation. | Workers and OHC members comply and help the employer to comply. Workers have a responsibility to cooperate. |
| Workers' contact with OHOs: Regulation 20 | Provide paid work time for the worker co-chair, a representative or a worker to accompany an OHO inspecting the workplace. | Consult the OHO and workers about health and safety concerns. |
| Biological monitoring: Regulation 21(2) | Provides the OHC with a report containing the general results of biological monitoring done on workers. | The OHC receives a copy of the report. |
| Occupational health and safety program: SEA 3-20; Regulation 22 and Table 7 of the Appendix | Develop an occupational health and safety program in consultation with the OHC when required under the legislation. | Help the employer develop the program and audit its effectiveness. |
| Inspection of place of employment: Regulation 28 | Enable the OHC to regularly inspect the workplace. With the OHC, set out an inspection schedule. Where the OHC provides the employer with a written notice of an unsafe condition, take action. Protect the health and safety of endangered workers at once. Correct the unsafe condition as soon as possible. Provide the OHC with a report on corrective action. If action is not taken, provide the OHC with a written report stating why. | Schedule inspections with the employer regularly. Report unsafe conditions and receive a report on corrective action. The OHC has a right to contact an OHO if it has any concerns. |
| Investigation of certain incidents: Regulation 29 | Help the co-chairs investigate and prepare a report. The report's contents are specified in the regulations. Send a report to OHS Division at the request of an OHO and provide a copy to the OHC. | Co-chairs must investigate incidents and prepare reports. OHC receives a copy of the reports. |
| Prohibition, re: scene of incident: Regulation 30 | Ensure that the site of a fatal incident is not disturbed (except to relieve human suffering) until an OHO investigates. Obtain permission from the OHO to disturb the site if photographs and drawings of the site are made and the OHC co-chairs agree. | Do not give permission unless the requirements of the regulation are met. |
| Investigation of dangerous occurrences: Regulation 31 | Help the co-chairs investigate dangerous occurrences and prepare a report containing the information required in the regulation. Provide a copy to OHC. | The co-chairs investigate and prepare reports. The OHC receives a copy of the reports. |
| Injuries requiring medical treatment: Regulation 32 | The employer provides a report to the co-chairs stating what incidents have resulted in lost-time injuries that required medical treatment and enables the co-chair to review lost-time injuries at no loss in pay or benefits. | The co-chairs receive and review the reports. |

| Requirement <small>(This is a partial list. Specific regulations set out additional duties)</small> | Roles within the WRS | |
|--|---|--|
| | Employer | Committee |
| Working alone or in isolated places of employment: Regulations 35 and 37.1 | Work with the OHC to assess the risks of working alone or in isolated places of employment and take all reasonably practicable steps to control those risks. See Regulation 37.1 for additional requirements for persons who work alone between the hours of 11:00 p.m. and 6:00 a.m. in late night retail premises. | Help the employer identify risks associated with the work and identify methods to control those risks. |
| Harassment: Regulation 36 | Works with the OHC to develop a policy to prevent harassment. Post a copy in the workplace and provide a copy to the OHC. | Help the employer develop the policy and communicate the information to workers. |
| Designation of OHC members: Regulation 39 | Assists workers to select OHC members and ensure that groups of workers with distinct concerns are equitably represented. | Workers agree to stand for selection as OHC members and, if selected, agree to serve. |
| Quorum and certain votes: Regulation 40 | Ensure a quorum is present at every OHC meeting and rulings on refusals to work are made by a unanimous vote of a quorum. | Ensure a quorum is present at every OHC meeting. |
| Frequency of meetings: Regulation 41 | Ensure that the OHC: <ul style="list-style-type: none"> • Holds its first meeting within two weeks after being established; • Holds three subsequent meetings at intervals not exceeding one month; and • After that, hold regular meetings at intervals not exceeding three months. OHS Division may require an OHC to meet more frequently because of any of the following factors: <ul style="list-style-type: none"> • The existence of particular hazards or circumstances; • The complexity of the operation; or • The number of workers. | Assist the employer to meet the requirements of the regulation. |
| Minutes of meetings: Regulation 42 | Help the OHC: <ul style="list-style-type: none"> • Record meeting minutes in a format provided by OHS Division and keep the minutes on file with the OHC; and • Post a copy of the minutes at a location that is accessible to workers until all concerns recorded in the minutes are resolved. | Assist the employer meet the requirements of the regulation. Co-chairs should sign the minutes of each meeting. |

| Requirement (This is a partial list. Specific regulations set out additional duties) | Roles within the WRS | |
|---|---|--|
| | Employer | Committee |
| Co-chairpersons: Regulation 43 | <p>Ensure that, at the first OHC meeting:</p> <ul style="list-style-type: none"> • OHC members representing workers elect a worker co-chair from among their number; and • Appoint an employer or contractor co-chair from the members of the OHC representing the employer or contractor. <p>An employer or contractor co-chair keeps the employer or contractor informed of OHC activities, concerns and recommendations and of any information addressed to the OHC.</p> <p>A worker co-chair keeps the workers informed of OHC activities, concerns and recommendations and of any information addressed to the OHC.</p> <p>Facilitate the discharge of the worker co-chair's duties during normal work hours by permitting meetings of workers or by other means that are appropriate under the circumstances.</p> | <p>Help the employer meet the requirements.</p> <p>Select influential and effective co-chairs.</p> <p>Co-chairs keep workers and the employer informed of the OHC's activities.</p> <p>The co-chairs help the employer keep the OHC effective.</p> |
| Special meetings: Regulation 44 | <p>Assist the OHC to hold special meetings. Either co-chair may call a special meeting of an OHC to deal with urgent concerns, imminent dangers to health or safety and investigations of incidents, dangerous occurrences or refusals to work.</p> | <p>Co-chairs call special meetings as needed.</p> |
| Training of OHC: Regulation 46 | <p>Ensure that co-chairs receive training for their duties and functions. Where an OHC member gives reasonable notice, allow that member to take up to five days per year to attend training. Where the OHC member attends training provided by WorkSafe Saskatchewan or an approved training agency, credit the member's time as time at work. Ensure the member does not lose pay or benefits for attending.</p> | <p>OHC members attend training for their functions and duties and use the training at work.</p> |
| Opportunity for necessary activities: Regulation 48 | <p>Ensure the OHC has access to any log book or other records required by the legislation. Provide paid work time to allow the OHC to investigate concerns and carry out other duties. Allow the OHC to hold meetings with workers to discuss health and safety issues and regulatory requirements.</p> | <p>Review records and investigate related concerns. Members bring the concerns of workers to the employer for resolution.</p> |
| Provision of first aid: Regulation 52 | <p>Consult the OHC about the adequacy of first-aid personnel, supplies, equipment and facilities. Help the OHC inspect the first-aid register. Requirements are set out in the regulation 57.</p> | <p>Advise the employer about the adequacy of first-aid facilities, supplies, personnel and equipment. Inspect the register and look into related concerns.</p> |

| Requirement <small>(This is a partial list. Specific regulations set out additional duties)</small> | Roles within the WRS | |
|--|---|---|
| | Employer | Committee |
| Ventilation systems: Regulation 67 | Ensure that a record of all inspections, maintenance and cleaning of a mechanical ventilation system is available for examination by the OHC, representative or, where there is no OHC or representative, the workers. | Examine the records periodically. |
| Musculoskeletal injuries: Regulation 81 | Consult the OHC about workplace jobs and situations that pose or could pose ergonomic hazards. Work with the OHC to control or remove these hazards. | Consult workers about ergonomic problems and help the employer develop a system to control or remove them. |
| Shiftwork: Regulation 82 | The employer is to consult the OHC to assess the hazards of shift work at the workplace, inform workers about those hazards and how they can be controlled. | The OHC should help the employer identify shift work hazards and inform workers how to control them. |
| Visually demanding tasks: Regulation 83 | Consult the OHC about workplace jobs and situations that put a demand on workers' vision. Work with the OHC to control or remove these hazards. | Consult workers about jobs with a high visual demand and help the employer develop a system to control or remove them. |
| Radioactive substances: Regulation 84 | Consult the OHC to develop safe procedures to handle, use, store and dispose of radioactive substances and devices containing radioactive substances. At the request of the OHC, make available copies of any licenses issued under The Atomic Energy Control Act. | Help the employer develop safe procedures and review applicable licenses. Consult workers who are at risk and help them to resolve concerns. |
| Exposure control plan: Regulation 85 | Consult the OHC to develop a written plan to protect workers who are exposed to biohazards. The plan must meet requirements set by the regulation. | Help the employer develop the plan to meet the requirements of the regulation. Consult workers who are at risk and helps them resolve their concerns. |
| Noise control and hearing conservation: Regulations, Part VIII | Consult the OHC or representative to ensure that a competent person evaluates the presence of noise and the results of any noise monitoring done at the workplace and that a noise control system is in place to protect workers. | Help the employer evaluate noise levels in the workplace and protect workers. |
| Robotics: Regulations, Part XV | Consult the OHC or representative to assess real or potential robotic hazards and develop written procedures to protect workers. Ensure that workers are adequately trained to identify and control robotic hazards and operate applicable equipment safely. Requirements are set out in the regulations. | Help the employer to protect workers. Discuss robotic hazards with workers and help them resolve related concerns. |
| Entry plan for confined spaces: Regulation 272 | Consult OHC to develop a safe entry plan for confined spaces to protect workers from associated hazards. Requirements for the plan set out in regulation. | Help employer develop plan. Consult workers about plan and help them resolve concerns. |

| Requirement <small>(This is a partial list. Specific regulations set out additional duties)</small> | Roles within the WRS | |
|--|--|---|
| | Employer | Committee |
| Exposure to chemical and biological substances Regulation 302 | <p>Make available to the OHC, the representative or, where there is no OHC or representative, the workers:</p> <ul style="list-style-type: none"> • The results of any measurements of worker exposure to, and contamination by a chemical or biological substance; and • Any steps taken to reduce the contamination by a chemical or biological substance and eliminate or reduce exposure of the workers. | <p>Review the documents and look at associated problems. Help the employer and workers identify and resolve related concerns.</p> |
| List of chemical and biological substances: Regulation 303 | <p>Consult the OHC, worker representative or, where there is no OHC or representative, the workers to develop and maintain a list of all potentially hazardous chemical and biological substances that are regularly handled, stored, used or disposed of at the workplace. List any substances that are of concern to workers. Identify controlled products. Amend the list as required. Provide copies to the workers and the OHC or representative.</p> | <p>Help the employer to compile the list and identify controlled products under WHMIS. Help the employer keep the list current.</p> |
| Precautions for certain substances: Regulation 304 | <p>Develop written program to instruct workers about the hazards of chemical or biological substances not controlled (or is controlled but exempt from Part XXII), and train workers in precautions. Implement program.</p> | <p>Help the employer to identify these substances, develop the program and monitor its effectiveness.</p> |
| Substances listed in Table 21 of the Appendix to the regulations: Regulation 307 | <p>Consult the OHC to develop a written procedure to protect workers from these substances where:</p> <ul style="list-style-type: none"> • Exposure is more than 8 hours per day or 40 hours per week; or • Where there are additive or synergistic effects from the substances. <p>Requirements are set out in the regulation.</p> | <p>Help the employer to comply. Consult workers about the plan and help them resolve concerns.</p> |
| Accumulations, spills and leaks: Regulation 310 | <p>Where there is a possibility of an accumulation, spill or leak of a chemical or biological substance that may be health or safety hazard to a worker:</p> <ul style="list-style-type: none"> • Consult with the OHC and develop and implement written emergency procedures; • Make available a copy of the emergency procedures developed to workers; • Ensure that each worker is trained in and implements any of the emergency procedures that: <ul style="list-style-type: none"> Involve the worker; or Necessary to protect health and safety of worker; • Ensure that competent persons, equipment, supplies and PPE are available for prompt, safe and effective containment, neutralizing and decontamination of any accumulation, spill or leak; and • Implement the emergency procedures in the event of an accumulation, spill or leak. | <p>Help the employer develop the plan and monitor its effectiveness.</p> |

| Requirement <small>(This is a partial list. Specific regulations set out additional duties)</small> | Roles within the WRS | |
|--|--|--|
| | Employer | Committee |
| Report of worker's exposure: Regulation 311 | Where an accumulation, spill or leak of a chemical substance or biological substance listed in Table 19 or 20 of the Appendix occurs and results in the exposure of a worker to the chemical substance or biological substance to an extent that may affect the health or safety of the worker, investigate the incident as soon as is reasonably possible (in consultation with the OHC) and prepare a written report containing the information set out in the regulation. | Help the employer investigate, prepare the report and develop hazard controls. |
| The Occupational Health and Safety (Workplace Hazardous Information System) Regulations: OHS WHMIS Regulation 5 | Provide training to workers on hazardous products and how to control workplace hazards. Develop training in consultation with the OHC. Review the WHMIS 2015 training program each year in consultation with the OHC, the representative or, where there is no OHC or representative, the workers to ensure it is adequate. | Review the program, consult workers and help the employer keep it current. |
| The Occupational Health and Safety (Workplace Hazardous Information System) Regulations: OHS WHMIS Regulation 14 | Ensure copies of all safety data sheets required under WHMIS are available to any applicable worker and the OHC. | Review the SDSs where there are concerns and discuss with the employer. |
| Asbestos: Regulation 334 | Make records of potentially hazardous asbestos materials available to the OHC for review. | Help the employer protect workers from asbestos hazards. |
| Asbestos control plan: Regulation 337 | Develop an asbestos control plan in consultation with the OHC to protect workers from asbestos hazards. | Help the employer develop and monitor the plan and keep it current. |

Review

Use the legislation as you carry out your WRS. Use it as a guide to help you:

- Monitor the effectiveness of the WRS;
- Identify, assess and develop recommendations to control hazards;
- Communicate information about health and safety hazards and issues to workers;
- Help workers resolve concerns; and
- Maintain the effectiveness of your OHC.

Your primary job as an OHC member is to help the employer maintain a safe and healthy workplace. You are not a safety officer for the employer. Compliance is the employer's responsibility. Your job is to provide assistance and advice.

Appendix 1: Regulations, Part II, Notice Requirements



Regulation 7, New operations

- (1) As soon as is reasonably possible, an employer, contractor or owner shall give notice to the division of the intention to:
 - (a) begin work at a construction site, manufacturing plant or processing plant where 10 or more workers are to be employed for six months or more;
 - (b) dig an excavation, a trench or an excavated shaft:
 - (i) that is more than five metres deep; and
 - (ii) that a worker will be required or permitted to enter; or
 - (c) dig a tunnel that a worker will be required or permitted to enter.
- (2) Not later than 14 days before beginning the process, an employer, contractor or owner shall give notice to the division of the intention to begin a high risk asbestos process listed in Table 5 of the Appendix.
- (3) A notice required by subsection (1) or (2) must include:
 - (a) the legal name and business name of the employer, contractor or owner;
 - (b) the location of the site, plant, process or place of employment;
 - (c) the mailing address of the employer, contractor or owner;
 - (d) the nature of the work or process to be undertaken;
 - (e) the number of workers to be employed;
 - (f) the telephone number and fax number of the employer, contractor or owner; and
 - (g) the estimated starting date and expected duration of the work or process.

Appendix 2: Forms

How to complete an OHC minutes form

1. Complete name, mailing address with postal code and the phone number.
2. Enter the site address if it is different from the mailing address.
3. Record the total number of persons employed at the workplace, including both full-time and part-time employees.
4. Enter the meeting date.
5. Ensure meetings are held regularly. The minimum requirement for meetings is every three months. Indicate the date of the next meeting. If no date is set now, it is difficult to schedule the next meeting.
6. Enter the names of your co-chairs. Co-chairs' names must be posted so staff can contact them when necessary.
7. List the names and occupations of all the current OHC members, identifying each as a worker or management. Management members must not outnumber worker members.
8. Indicate if each member was present or absent. This is necessary to determine quorum.
9. Ensure a quorum is present at all of your meetings. A quorum exists when both management and workers are represented, at least one half of the OHC is present and at least one half of those present are workers.
10. Review all the old concerns from the previous meeting. Do not remove any item from the minutes until it is recorded it as complete.
11. Describe all new concerns, problems and other business discussed at the meeting.
12. Indicate the action taken or proposed for each listed item, along with the name of the person responsible for handling it. This is essential to track issues, ensure they are dealt with and to communicate the action to those not at the meeting.
13. Decide on and record a reasonable target date for each item. Target dates assist in the problem-solving process and give employers and workers objectives.
14. Review all injuries and incidents that have occurred in your workplace and ensure steps have been taken to prevent a re-occurrence.
15. Ensure both co-chairs, or their designates, sign the minutes after reviewing the contents to confirm accuracy.
16. Post a copy of the minutes on the OHC bulletin board to inform workers. Send one copy to the employer. Retain one copy in OHC files.

Use the same format as OHS Division's form if you want to set up your own form on computer. OHS Division provides a [downloadable minutes form](#).



Minutes

Occupational Health Committee

Complete all information on top: Type or handwrite

Name of firm ABC Gadgets Inc. Total# of workers
workers in workplace 25

Mailing address Box 12
& Postal Code Regina, SK S4P 4V4 Phone: 306.555.1234 Meeting date Sep 15, 2016

Worksite address 1800 33rd Street, Regina, SK S4P5V6 Phone: 306.545.1225 Date of next meeting Dec 15, 2016
Fax: 306.545.1007

Employer Co-chairperson Diane Prince Worker Co-chairperson Ken Clark

| Management members | Occupation | Present | Absent | Worker members | Occupation | Present | Absent |
|--------------------|-----------------|---------|--------|-----------------|-------------|---------|--------|
| Diane Prince | CEO | ✓ | | Ken Clark | Operator | ✓ | |
| Logan Jackman | Shop supervisor | ✓ | | Barbara Summers | Steno IV | ✓ | |
| | | | | Erik Lensherr | Maintenance | ✓ | |
| | | | | Bruce Banner | Shipping | | ✓ |

| Item Date & No. | Problem or Concern Give full explanation and details Divide old/new concerns | Action Taken or Proposed Name person responsible | Target Date |
|-----------------|--|---|--------------------|
| 1. Jun 15/16 | Old concerns: Complaints about bad air in main office continue. Several staff are sick. They report bad headaches. Testing reveals carbon dioxide levels of 5200 ppm in the morning. | Old concerns: Reg 65 - Ventilation and air supply. Table 21 contamination limits for carbon dioxide 8-hour average 5000 ppm. Erik Lensherr inspected and cleaned ventilation system on the afternoon of Jun 15/2016. Carbon dioxide levels in afternoon 800 ppm. Complaints reduced. Staff feeling better. Defects were found during the inspection and repairs to be completed within two weeks. | Complete Jun 29/16 |
| 2. Jun 15/16 | As reported in the Incident Investigation of Jun 14/2016, the brakes on small forklift in shipping not working properly. One operator could not stop in time and knocked an entire pallet of chemicals on the floor that resulted in a chemical spill. Area had to be closed down for 4 hours to clean up. | Diane Prince removed forklift from service and sent it to vendor for service. Reg 156 - Inspection and maintenance, employer shall ensure defective or unsafe condition that may cause hazard to worker is repaired as soon as reasonably practicable. Written record of service kept. Logan Jackman rescheduled large forklift to handle the extra work. Erik Lensherr and Logan Jackman implemented a preventative maintenance program and operator PME pre-use inspection program. | Complete Sep 15/16 |
| 1. Sep 15/16 | New concerns: Workers in insulation are using compressed air to clean their clothing. Workers complain that they didn't know they weren't supposed to use compressed air. May be a training issue. | New concerns: Logan Jackman ordered to stop the practice of using compressed air to clean clothing as per Reg 27 Prohibition re use of compressed air. The written policy regarding prohibition of the use of compressed air was reviewed with all workers at the tool box meeting. Attendance and sign-off of the meeting content was documented. Vacuum will be delivered Sep 19/2016. | Sep 19/16 |
| 2. Sep 15/16 | Guards missing on gadget stacker as indicated in the Sep 14/2016 inspection. | Reg 137 - Safeguards, an employer must provide effective safeguard where worker may contact a dangerous moving part of a machine. Erik Lensherr and Logan Jackman working with vendor to install new guard. Erik Lensherr installed a temporary guard to ensure workers are not at risk in the interim. | Oct 20/16 |
| 3. Sep 15/16 | No accidents or dangerous occurrences to report for this period. | | Complete Sep 15/16 |

Other Business (including requests to Occupational Health and Safety)

Distribute copies as follows:
Copy 1 - Permanent Committee Files
Copy 2 - Employer Copy
Copy 3 - Post on Committee Board for workers' information

In my opinion the above is an accurate record of this meeting

Diane Prince

Employer Co-chairperson

Ken Clark

Worker Co-chairperson

Committee recommendation form

OHS Division does not issue a recommendation form for OHCs. Many organizations develop their own form for major recommendations that involve a great deal of money.

Forms help the organization standardize recommendations and help OHCs identify exactly what the problem is and what to do about it. Review the example on the following page and adapt the form to suit your needs.

When completing a recommendation form:

1. Precisely describe the item or problem and its location. Identify the workers affected by the problem.
2. Provide any necessary background information and research performed by the OHC to quantify the problem. In the example provided, the OHC monitored noise levels to quantify the exact noise levels workers are exposed to while on the job.
3. State what could happen if the problem is not resolved.
4. Precisely describe the proposal. Include the estimated timelines and costs for each recommendation.
5. Provide information to support each proposal. In the example provided, the OHC noted why each recommendation is proposed, what services will be required, who can provide them and when.
6. If warranted, propose both short-term (immediate) and long-term (engineering) solutions. In the example, the OHC has suggested a number of actions that can be taken immediately. It has also proposed a long-term engineering solution (sound-insulated control room).
7. Note who will follow up on the corrective action and when.

| Occupational health committee recommendation form (Adapt to suit your needs) | | | |
|--|-------------------------------------|-----------------------------------|--|
| Meeting date: August 4, 2016 | Chairperson: Arthur Curry | Recommendation number: 1-5 | Date submitted: August 4, 2016 |
| <p>Description of item/concern:</p> <p>Staff are worried about loud noise from boilers and burners in the mechanical room. Many report ringing in their ears and decreased hearing after their shifts. Noise monitoring last week showed sound levels of from 91-97 dBA during peak working hours. OHC believes workers could suffer permanent hearing loss if this condition persists.</p> | | | |
| <p>OHC recommends:</p> <ol style="list-style-type: none"> Issue workers high-quality hearing protectors to protect their hearing. <ul style="list-style-type: none"> Timeline: Within two weeks Estimated cost per year: \$500 Follow up: Peter Parker, the workers' manager, will follow up by August 17, 2016 Educate workers about noise hazards and train to use the hearing protectors properly. <ul style="list-style-type: none"> Timeline: Within two weeks Estimated cost per year: none - Joe's Safety Supplies will provide training free of charge if we buy hearing protectors from them Follow up: Arthur Curry will follow up by August 18, 2016 Post measured noise levels in the workplace to inform workers of the hazards present. <ul style="list-style-type: none"> Timeline: Within two weeks Estimated cost per year: \$30 Follow up: Local area supervisors will follow up by August 17, 2016 Encourage workers to have their hearing tested. <ul style="list-style-type: none"> Timeline: Employer must arrange/confirm coverage with our health insurer to cover cost of hearing tests. Health insurer has a designated hearing test facility. Each worker will arrange their own appointment. Estimated cost per year: None (covered by health insurance). Time at the tests counts as work time under regulation 113. Follow up: Steve Rogers, HR manager, will follow up with workers every two weeks for the next two months to ensure they are aware they need to have their hearing tested and are making appointments with the health insurer. Relocate all controls to a central area and build a sound-proofed, separately ventilated room around them. Put several windows in the control room to allow workers to monitor operations. <ul style="list-style-type: none"> Timeline: During the next fiscal year (suggest completion by May 31, 2017) Estimated cost: \$4,000 Follow up: Tony Stark and Arthur Curry will follow up with the employer by January 10, 2017 | | | |

Occupational health committee recommendation form

(Adapt to suit your needs)

Reasons for recommendation:

Short term:

1. All workers be issued with high quality hearing protectors to protect their hearing. Joe's Safety Supplies informs us they have disposable units that will reduce noise reaching the ear to no more than 85 dBA. These units will not interfere with the ability of staff to communicate. The estimated yearly cost of purchasing a yearly supply of these units for all workers is \$500. Joe's Safety Supplies is willing to train our workers about the hazards of noise and how to use the protectors for free.
2. Noise levels be posted in the workplace to warn workers of the noise hazard present. Four signs will be required. Joe's will sell them to us for \$30 total. Workers be encouraged to have their hearing tested. Avaricious Health Insurance, our private health insurer, allows a member one free hearing test each year. Regulation 113 requires the employer to arrange hearing tests during work time. Time at the test counts as work time. Tests will help workers determine if their hearing is damaged and make appropriate life choices. It will also bench mark their hearing for future reference.

Long term:

1. Relocate all controls to a central place and build a sound-insulated control room around it. The room will be ventilated separately and have several windows to allow operators to monitor conditions in the shop. Profit Corporation says they can do the work for us for about \$4,000. However, they are busy with other work and will not be able to service us for at least two months.

Signed

Arthur Curry

*Tony Stark***Employer Co-chairperson****Worker Co-chairperson**Copy posted for information of workers? Yes No

| Occupational health committee recommendation form (Adapt to suit your needs) | | | |
|---|---------------------|-------------------------------|------------------------|
| Meeting date: | Chairperson: | Recommendation number: | Date submitted: |
| Description of item/concern: | | | |
| OHC recommends: | | | |
| Reasons for recommendation: | | | |
| Signed | | | |
| Employer Co-chairperson | | Worker Co-chairperson | |
| Copy posted for information of workers? Yes <input type="checkbox"/> No <input type="checkbox"/> Follow-up date: | | | |

Committee incident investigation form

OHS Division does not issue investigation forms. Use Chapter 8: Investigating incidents as a guideline to complete the form.

Guidelines for a report

- The report format should fit the needs of the workplace.
- Information should be complete and easy to understand.
- Make it only as long as is necessary to communicate effectively.
- For best results, write the report as soon as possible after the investigation.
- If the investigation will take a great deal of time, submit an interim report.
- File a copy of the report in case it is needed later.
- Post a summary in the workplace to keep workers informed.

Report format

This is the format used in the following example:

1. Summarize how the incident happened.

Provide a brief description of what happened without conclusions (incident summary).

2. Summarize the direct cause.

Describe the immediate cause of the incident (what happened just before the incident).

3. Summarize the root cause.

Describe the underlying problems in the WRS that set the chain of events in motion that produced the incident.

4. What actions are recommended to control the immediate causes of the incident?

Describe short-term controls that should be implemented to prevent another incident until longer-term (engineering) controls can be put in place.

5. Describe what actions are recommended to control the root causes of the incident.

Identify engineering and other measures that will remove the fundamental flaws in the WRS that caused the incident.

6. Sketch the site of the incident.

A picture is worth a thousand words. Use illustrations to show what happened.

The example used here

In this case, Victor Creed, a newly hired leaf spring/suspension mechanic, was asked to service the brakes of a low boy (Bobcat tractor) trailer as soon as possible. Victor rushed the job. He placed a bottle (hydraulic) jack under each of the four leaf springs of the trailer. Floor stands or blocks were not used. He removed the wheels to service the brakes. Since the brakes were badly rusted, Victor had to do a great deal of pounding and prying to work the parts loose. This caused the trailer to move on the jacks. The trailer slid off the jacks, breaking Victor's left leg.

The direct cause of the incident was found to be using an unsafe work practice (inadequately supporting the trailer). Indirect causes included:

- Assigning a leaf spring/suspension mechanic to do brake repairs. Victor wasn't trained adequately to repair the brakes on this type of trailer or supervised.
- Failure by the employer to ensure the bottle jacks were labeled properly and maintained. The jacks Victor used turned out to be too light to support the weight of the trailer. One jack was defective.

The root cause of the incident was lack of a safety program.

Often the report form serves as an incident summary. A more detailed report is sent to the employer.

| Incident investigation report form (Adapt to suit your needs) | | | |
|---|--|--|---|
| Company or division: Murdock Motors Inc. | | Department: Garage shop | |
| Location: Saskatoon, SK | | Date: October 3, 2016 | Time: AM <input checked="" type="checkbox"/> 10:30 PM |
| Reported to OHS Division? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Date reported: October 3, 2016 | Contact/Phone: 1.800.567.7233 | |
| Injury or illness | Type of incident (fall, cut, etc.) | Property damage | |
| Name of injured worker: Victor Creed | Description: Broken left leg | Description: Four wrecked bottle jacks Miscellaneous broken tools | |
| Experience: Three hours with this employer | | Severity of damage/loss: Severe | |
| Occupation: Leaf spring/suspension mechanic | Object or substance inflicting harm: Low boy trailer | Collateral damage to equipment/object/substance related to incident: Damaged trailer chassis Lost customer Business closed for one day to investigate and clean up | |
| Exact location of incident: Main shop | | | |
| Part of body affected: Left leg | Person in control of activity: Matthew Murdock, employer | Estimated cost: | Not known |
| | | Final cost: | Not known |
| Nature of injury or illness: Broken bone | Number of work days lost: est. 40 | Supervisor: Matthew Murdock | |
| Summarize how the incident happened. | | | |
| <p>Victor was asked to fix the brakes on James Howlett's low boy trailer. The brakes on the trailer were sticking. James needed that trailer right away for a rush job and was putting pressure on M. Murdock to get it fixed.</p> <p>Victor placed a bottle jack under each of the four leaf springs of the trailer. Floor stands or blocks were not used. The garage hoist was not used because Matthew had not shown Victor how to use it yet. Victor removed the wheels to service the brakes. Since the brakes were rusted badly, Victor had to do a great deal of pounding and prying to work the parts loose. This caused the trailer to move on the jacks. The trailer slid off the jacks, breaking Victor's left leg.</p> <p>One of the bottle jacks may have failed, but it is difficult to tell because all of the jacks were crushed by the trailer when it fell.</p> | | | |
| Summarize the direct cause. | | | |
| Use of an unsafe work practice. Bottle jacks should not have been used without other substantial blocks and support. The garage hoist should have been used for the work. | | | |

Incident investigation report form

(Adapt to suit your needs)

Summarize the root cause.

We don't have an adequate safety program in place to prevent this type of thing. This includes everything from how we train new workers to the work procedures and equipment we use.

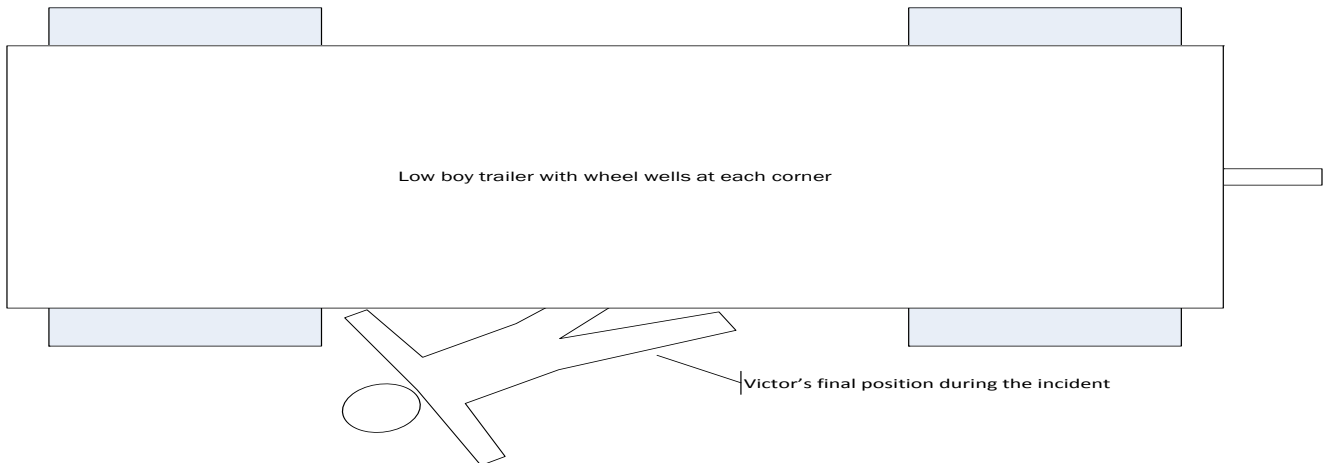
What actions are recommended to control the immediate causes of the incident?

- Assign only qualified employees to this type of work and make sure workers are supervised adequately at all times. Turn down or reschedule rush jobs if qualified staff are not available.
- Use the garage hoist for this type of job.
- Inspect tools and equipment for defects. Replace or repair as required.
- Develop and enforce work procedures for dangerous jobs.

Describe what actions are recommended to control the root causes of the incident.

M. Murdock and OHC to develop a safety program that includes written safe work procedures for all dangerous jobs, form training and close supervision for all hires.

Sketch the site of the incident.



| Investigators | Position on OHC | Signature |
|------------------|-----------------|---------------|
| 1. Clint Barton | Worker member | Clint Barton |
| 2. Carol Danvers | Employer member | Carol Danvers |

Signature of OHC co-chairpersons

Arthur Curry

Steve Rogers

Employer co-chairperson

Worker co-chairperson

| Incident investigation report form (Adapt to suit your needs) | | | |
|---|--------------------------------------|---|----------------|
| Company or division: | | Department: | |
| Location: | | Date: | Time: AM PM |
| Reported to OHS Division? Yes <input type="checkbox"/> No <input type="checkbox"/> | Date reported: | Contact/ Phone: | |
| Injury or illness | Type of incident (fall, cut, etc.) | Property damage | |
| Name of injured worker: | Description: | Description: | |
| Experience: | | Severity of damage/loss: | |
| Occupation: | Object or substance inflicting harm: | Collateral damage to equipment/ object/substance related to incident: | |
| Exact location of incident: | | | |
| Part of body affected: | Person in control of activity: | Estimated cost: | |
| | | Final cost: | |
| Nature of injury or illness: | Number of work days lost: | Supervisor: | |
| Summarize how the incident happened. | | | |
| Summarize the direct cause. | | | |
| Summarize the root cause. | | | |

Incident investigation report form

(Adapt to suit your needs)

What actions are recommended to control the immediate causes of the incident?

Describe what actions are recommended to control the root causes of the incident.

Sketch the site of the incident.

Investigators

Position on OHC

Signature

1.

2.

Signature of OHC co-chairpersons

Employer co-chairperson

Worker co-chairperson

Appendix 3: Communication, conflict resolution and problem-solving techniques

Introduction

Communication is what we do to inform, get information from or influence others. It includes:

- What we say or write;
- Gestures, body language, tone of voice and expression; and
- Actions or lack of action.

One-on-one discussions, meetings, OHC minutes, bulletins, posters, short publications and safety videos are common methods used to promote health and safety. Methods should always provide an opportunity for discussion, questions and feedback.

Four principles of health and safety communication

1. Effective communication increases motivation

People are likely to support an idea if they understand the reasoning behind it. Example: Workers are likely to follow a safe work procedure if they understand how the procedure controls the hazards involved in the work. Likewise, people who are kept informed feel involved and believe their opinions are important. Close communication between OHC members, the employer, supervisors, managers and workers is critical to the success of the WRS.

2. The more people a communication goes through, the more distorted it becomes

The more people there are in a line of communication, the more distorted the message may become. Each person who passes on information is likely to change it. Try to communicate information directly and provide copies in writing. Example: An OHC member informs a worker about the status of a concern. Include the same information in the OHC minutes.

3. Effective communication reaches the heart as well as the mind

Communication aimed at feelings and attitudes is usually more effective than communication directed only at the mind. People will listen intently if you bring them into a message. Example: Workers may be willing to use change and shower facilities if they understand how this can prevent contaminants from reaching their families.

4. Use it or lose it

The sooner information and skills are put to work, it will likely be learned and remembered. Help people apply what they are learning as soon as possible. Example: Make immediate arrangements to apply the safe lifting procedures shown in a safety video. Arrange refresher training and practice to keep first-aid skills sharp.

Verbal communication techniques

- Use positive body language, including gestures, stance, expression, movement, eye contact and a warm tone. Make the other person feel involved and important.
- Keep the message short and simple. Avoid jargon and unfamiliar terms, particularly with inexperienced workers.
- Show respect for the ideas of others and try to understand their points of view. Consider differences in culture and language.
- Confirm mutual understanding at the end of the conversation.

Active listening

Active listening is just as important as effective speaking. Six principles are involved in active listening:

1. Encourage

Encourage others to express their opinions. Use neutral statements or open-ended questions (i.e., questions that cannot be answered with a simple yes or no), like “I see” or “please tell me more”. This will keep them talking and show you are interested in their views.

2. Clarify

Use open-ended questions to clarify statements and check your perception of what was said. Example: Use questions like ‘When did this happen?’ or ‘I’m not quite clear about that point, could you explain it a bit more’.

3. Restate

Summarize and restate essential points, ideas and comments to check understanding. Put a positive spin on what has been said, but do not distort the meaning. Ask the speaker if you are correct in your interpretation of their views. Example: “So your view of the problem is...” or “Am I correct in saying that you would like to solve the issue in this way”?

4. Reflect feelings and opinions

Show you understand the speaker’s opinions and feelings. This will help them evaluate their attitude. Example: “You sound angry and frustrated”.

5. Summarize feelings and content

Summarizing ideas, feelings and content allows you to check progress and move on to other topics. Example: “Is this an accurate summary of the cause of your anger”? Encourage the speakers to tell you anything else that is bothering them about the issues. Example: Ask: “Is something bugging you”?

6. Acknowledge and validate

Show that you understand, accept and respect the speaker. Example: “I can understand why you might feel this way...” or “I sympathize with you”.

Pay close attention to the ideas, emotions and opinions expressed, not to individual words or phrases. Listen to the whole message before passing judgement or interrupting. To avoid bias, try to separate the message from the person.

Use open-ended questions to encourage people to tell you what they know and suggest solutions. State your questions in a positive way to get cooperation. Make sure your body language does not contradict what you are saying.

Written communication

OHC members need to be able to write clear and effective inspection and incident investigation reports, recommendations for the employer and so forth. Information that is unclear or confusing may cause workers and managers to draw the wrong conclusions and fail to take effective action. When preparing a report, consider using the following outline:

Executive summary – Use this section to summarize the report and its recommendations.

Introduction and purpose – Explain what the report is about and outline the content.

Methods – Explain how the OHC gathered the information what methods were used. Example: If the report deals with noise levels in the workplace, describe what type of noise monitors were used, how readings were taken, for how long, where in the workplace and so forth.

Findings – Describe what was found (i.e., the raw evidence). Example: In a noise-control report, state what noise levels were found, where, if noise levels at certain work stations changed over the shift and so forth. Some formats summarize the findings here and put detailed information, such as measurements, in an appendix.

Interpretation – Discuss the findings and build a case for subsequent recommendations. Example: In a noise-control report, explain what areas had unacceptably high noise levels, what areas had annoying noise that is of concern to workers and what areas had acceptable noise levels. Describe the direct causes of the noise (e.g., machinery, tools and equipment) and contributing factors (e.g., work scheduling, maintenance practices and so forth).

Conclusions – Sums up your interpretation and state the root cause of the problems outlined in the report. Example: The noise report might conclude that the root cause of a noise problem is that the organization does not consider noise in its equipment purchasing decisions. Therefore, an extremely noisy machine was purchased instead of a quieter unit with the same capabilities.

Explain each conclusion separately. Reference any documents used to reach your conclusions. Use footnotes or endnotes and include the reference documents with your report.

Recommendations – Recommendations flow from your findings and conclusions. State them clearly and ensure the evidence supports them. Outline the advantages of your recommended course of action. Summarize the possible cost and consequences if the course of action is not taken. Where possible, provide options and alternatives. Explain the advantages and disadvantages of each option, including the relative costs.

Supporting documentation – Include material that you have cited in your report or used for reference. Example: Include copies of pertinent regulations, safety publications and so forth.

Bibliography – If you are not including supporting documentation, provide a bibliography. This will give the employer or OHO a chance to check your sources.

Raising controversial issues

OHC members must sometimes raise controversial issues. Example: You might have to talk to a worker who is using an unsafe work practice. A soft-sell approach is more effective than giving orders. Here are some guidelines for raising issues and concerns.

Introduce the topic – Briefly describe your role as an OHC member, then state why you want to discuss the issue.

State the facts as you see them – Use *I* or *me* language. Example: “I am curious why you are using this lifting practice” or “It seems to me that you are using an unsafe lifting procedure, could you explain why?” Focus on the behaviour and not the person. Do not blame or attack. Make your points clearly and quickly. The longer you speak, the more likely you are to lose the other person’s attention. Give the other person a chance to respond. If you do not receive a response, ask for one. Listen carefully to the other person’s concerns.

Discuss your interests in keeping the workplace safe – Explain your views clearly, but don’t take rigid positions. Focus on the change needed to address the issue. Avoid jargon workers may not understand. Point out the benefits of doing things the safe way. Example: A worker may not use protective gloves because the chemical he handles does not bother his skin. He may not understand it can be absorbed through the skin. Once understood the worker will likely comply.

Reach an understanding – Listen to the response. Get a commitment to resolve the concern. Check to see that the corrective action has been taken.

Other communications tools

Bulletin boards – Use them to display OHC minutes, inspection reports, summaries of incident investigations, posters, etc. If you use safety posters, change them every couple of weeks to keep the message fresh.

Circulars and newsletters – Distribute short safety memos and messages to workers through normal channels. Example: Include a safety brochure in each pay cheque. Distribute or make available newsletters in the cafeteria or another centralized location.

Meetings – Attend supervisors' group meetings to report on OHC activities and the status of concerns. Likewise, the OHC and employer can organize worker meetings to discuss health and safety issues.

Safety talks – Safety talks are regular short demonstrations or lectures by supervisors or experienced workers. Each talk deals with a specific topic, such as safe lifting procedures or controlling a chemical hazard. Help the employer plan safety talks and acquire resources. Materials are available from several safety associations and commercial sources.

Videos – Organize short video screenings to review issues in the workplace. Example: Use videos to reinforce back injury prevention programs. [WorkSafe Saskatchewan](#) has a large selection of health and safety videos available for you to borrow.

Handling differences of opinion

Differences of opinion and conflict aren't necessarily bad. They can help improve the quality and quantity of solutions. The causes of conflict include:

- Lack of communication;
- Different perceptions;
- Different values; and
- Different expectations about outcomes.

People tend to come into conflict when:

- Important issues or a preferred outcome are at stake;
- At least one side believes it has a greater knowledge or understanding of an issue; and
- At least one side feels it is "right".

You can resolve most disagreements through clear communication, trust and mutual respect.

Managing disagreements

Consider these guidelines when dealing with a disagreement.

Clarify objectives – People sometimes get into conflict because they have different perceptions about the objectives of a meeting or conversation. There may be a misunderstanding about real intentions. Agreement on goals helps resolve these problems.

Strive for understanding – Sometimes a disagreement is so strong that people lose track of the other side's position. The meeting chairperson can suspend discussion and ask each side to summarize the other's position to see if they understand it.

Diffuse emotion – Decisions cannot be reached if people are in an emotional confrontation. Keep participants focused on the facts of the issue, the supporting evidence and the consequences of not taking an appropriate course of action.

Generate alternatives – Identify solutions that deal with the concerns of all parties. Get support for potential solutions from influential participants who are not committed to fixed positions.

Table the issue – If reaching a solution seems unlikely or participants need time to think about the arguments presented, agree to discuss the concern again later. This provides time to cool off. However, if the issue is serious, [contact OHS Division](#) for advice.

Break the issue into components – Consider breaking a controversial issue into parts. Send each part to a problem-solving team for discussion. This may make finding solutions easier.

Appendix 4: Help the employer plan worker training

When your review identifies a training need, work with the employer to:

- Set measurable objectives for the training;
- Determine how the training will be evaluated;
- Obtain or develop the training program;
- Implement the training;
- Evaluate the training; and
- Maintain records.

Training procedures

Method 1 - TSTC

Individualized on-the-job instruction for individuals using the tell, show, try and check (TSTC) method.

- Tell the worker how to do the job safely.
- Show the worker how the job should be performed at each step.
- Let the worker try the job.
- Check to ensure the worker can do the job safely.

Method 2 - Classroom training for groups of workers

Guidelines when using classroom instruction:

- Know the subject.
- Prepare to instruct.
- Develop a lesson plan containing the objectives, content, materials and time required for each section of the instruction.
- Organize and publicize each session.
- Prepare the room and materials.
- Communicate clearly.
- Encourage participation and information sharing.
- Evaluate the training.
- Follow up to check understanding.

Monitor orientation and training

Check training during normal OHC activities (e.g., inspections, conversations with workers, job observations). Review orientation and training at least once each year. Send improvement recommendations to the employer for action.

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