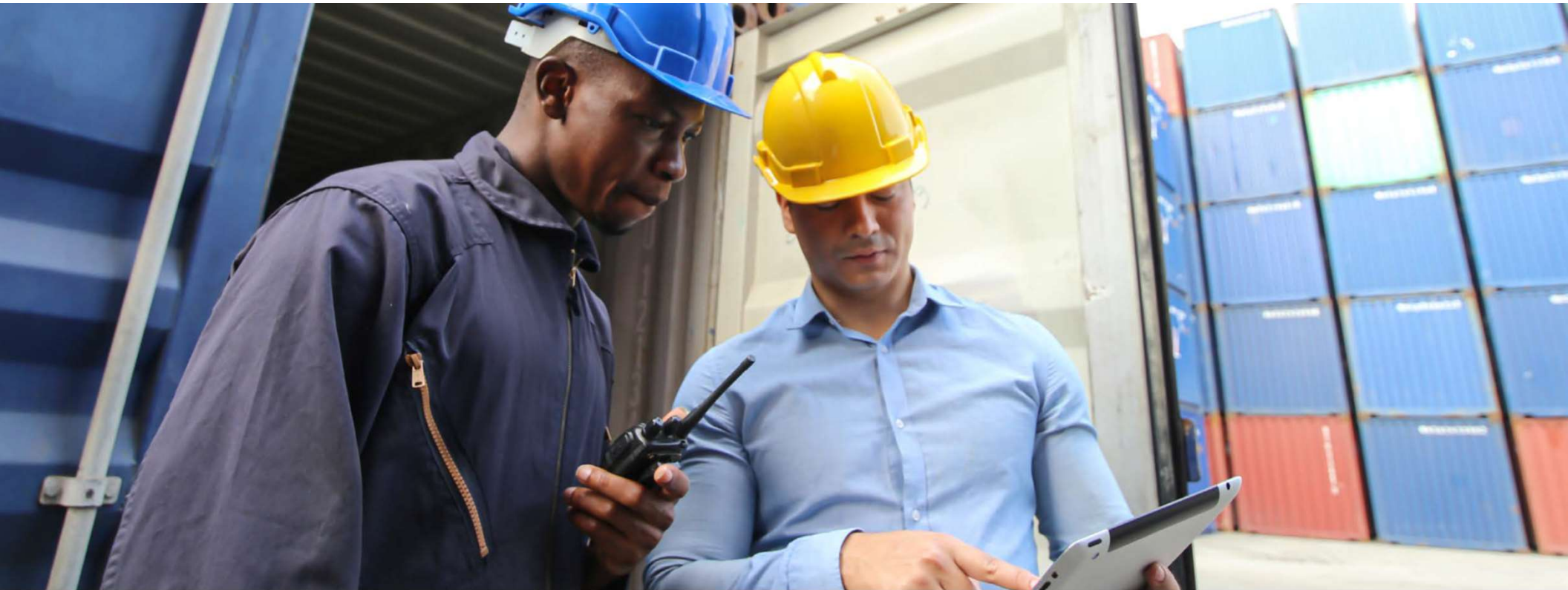




Occupational Health Committee

Level 2

Legislation REQUIRED for OHC Level 2

Start time: 8:30 am

Please access the following items and minimize them into your toolbar for use in today's session:

**Saskatchewan
Employment Act &
Occupational Health &
Safety Regulations 2020
QR Code Access**



Learning Objectives

Overview

After completing this course, the learner will be able to:

- Understand the purposes of inspections.
- Know the types of inspections.
- Demonstrate the ability to plan and conduct an inspection.
- Review and act on inspection results.
- Understand the purpose of workplace investigations.
- Know what and how to investigate.
- Complete an investigation.
- Analyze evidence, determine cause and create recommendations for corrective actions.
- Demonstrate how to generate a workplace investigation report and follow up after an investigation.
- Review how to investigate a worker's refusal to do dangerous work.



**Welcome to Occupational Health
Committee Level 2**



Legislation review

Welcome to OHC Level 2

<i>The Saskatchewan Employment Act</i>	<i>The Occupational Health and Safety Regulations, 2020</i>
A framework with general duties and responsibilities	Contains supporting instructions about how to implement the Act
Start at the Table of Contents (TOC) in both	
TOC, 14 Divisions	TOC, 34 Parts, Appendix
Sections organized in numerical order (3-8, 3-9,)	
Preliminary Matters for Part	Preliminary Matters
Part III (some workplaces use Parts IV, V)	Entire book



Citing legislation review

Welcome to OHC Level 2

Are there incidents that the OHC needs to investigate?

1. The section number
2. The name of the book
3. The section title

*The
Occupational Health
and Safety
Regulations, 2020*

PART 3
General Duties

3-16	Prohibition re use of compressed air
3-17	Inspection of place of employment
3-18	Investigation of certain accidents
3-19	Prohibition re scene of accident
3-20	Investigation of dangerous occurrences
3-21	Injuries requiring medical treatment
3-22	Work where visibility is restricted
3-23	Work or travel on ice, near water, etc.

Investigation of certain accidents

3-18(1) Subject to section 3-19, an employer shall ensure that every accident that causes or may cause the death of a worker or that requires a worker to be admitted to a hospital as an in-patient for a period of 24 hours or more is investigated as soon as is reasonably possible by:

- (a) the co-chairpersons or their designates;
- (b) the employer and the representative; or
- (c) if there is no committee or representative, the employer.

Section 3-18(1) of the Regulations, *Investigation of certain accidents*



Introduction

Welcome to OHC Level 2

An employer at a prescribed place of employment shall establish and maintain an occupational health and safety program.

Section 3-20 of the Act, *Duty to provide occupational health and safety programs*

Workplace inspections and investigations are legislated components of an employer's safety program.

Occupational health and safety program

3-11(1) Subject to subsection (2), an occupational health and safety program required by section 3-20 of the Act must include:

- (e) a schedule for the regular inspection of the place of employment and of work processes and procedures;
- (h) a procedure for the investigation of accidents, dangerous occurrences and refusals to work pursuant to section 3-31 of the Act at the place of employment;
- (i) a strategy for worker participation in occupational health and safety activities, including audit inspections and investigations of accidents, dangerous occurrences and refusals to work pursuant to section 3-31 of the Act; and

Section 3-11(1)(e,h,i) of the Regulations, *Occupational health and safety program*
Appendix Table 7 of the Regulations, *Prescribed Places of Employment*



What's in this course?

Welcome to OHC Level 2

- **Module one:** Introduction to inspections
- **Module two:** Planning an Occupational Health Committee (OHC) inspection
- **Module three:** Preparing for an OHC inspection
- **Module four:** Managing inspection results
- **Module five:** Introduction to investigations



What's in this course?

Introduction to OHC Level 2

- **Module six:** Conduct the investigation
- **Module seven:** Analyze evidence and determine incident causes
- **Module eight:** Complete an investigation report
- **Module nine:** How to investigate a work refusal





Module one

Introduction to inspections



Introduction

Module one
Introduction to inspections

Module one: Introduction to inspections

This module will:

- ✓ Define the purpose of inspections.
- ✓ Explain the benefits of inspections.
- ✓ Differentiate between employer and OHC inspections.
- ✓ Identify the three types of OHC inspections.



Introduction

Module one
Introduction to inspections

An **inspection** is a walkthrough or examination of:

- The entire workplace
- Selected work area(s)
- Specific hazard(s)
- Work practices
- Machinery, tools, equipment




Why inspect?

Module one
Introduction to inspections

Inspect to:

- Identify hazards
- Compare current conditions with expected standards
- Determine if deficiencies exist
- Identify causes for deficiencies
- Recommend corrective actions

.....**NOT** to ensure compliance with workplace safety rules

.....**NOT** to do detailed technical checks



Employer inspections

Module one
Introduction to inspections

The employer must conduct regular inspections of the workplace. This includes inspecting the:

- Facilities
- Properties
- Equipment
- Tools
- Technologies



The OHC is NOT expected to perform these inspections for the employer.



Employer inspections

Module one
Introduction to inspections

Employer inspection duties:

- Employer inspections required by legislation shall be performed regularly.
Section 3-8 of the Act, General duties of employer
- Employers shall ensure the **plant** is inspected.
Section 3-12 of the Regulations, Examination of plant



What is the definition of “plant”?

Section 3-1(1)(w) of the Act, Interpretation of Part

(w) “plant” includes any premises, site, land, mine, water, structure, fixture or equipment employed or used in the carrying on of an occupation;



Examples of inspections the employer must perform

Reg.	Section title	Description
3-12	Examination of plant	General inspection of workplace
3-17	Inspection of place of employment	Duty to support OHC and representative inspections
7-4	Inspection of respiratory devices	Duty to ensure respiratory device for emergency use is inspected by a competent person
7-21	Inspection of full body harness, etc.	Inspect PPE for working at heights
11-3	Visual inspection	Inspect equipment and surrounding area before starting
11-4	Inspection and maintenance	Competent person inspects mobile equipment
12-26	Maintenance and inspection	Only a competent person inspects scaffolds, aerial work platforms
13-18	Inspection	Cranes, hoists, lifting devices inspected by competent person
14-3	Inspection	Rigging is inspected at appropriate intervals
23-7	Inspection	Employer shall ensure all friable asbestos-containing material is regularly inspected

OHC inspections

Module one
Introduction to inspections

A duty of an Occupational Health Committee is to **inspect** the workplace.

Inspection of place of employment

3-17(1) An employer, contractor or owner shall allow members of a committee or a representative to inspect a place of employment at reasonable intervals determined by the committee or the representative and employer.

Section 3-17 of the Regulations, Inspection of place of employment



OHC inspections

Module one
Introduction to inspections

OHC inspections:

- Help the OHC develop recommendations for corrective action.
- Do **not** replace inspections that are to be done by the employer or supervisor.
- Should **complement** what the employer does.



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OHC inspections

Module one
Introduction to inspections

The OHC conducts inspections to:

- Identify hazards or problems missed or recorded by other inspections.
- Evaluate effectiveness of the existing safety management system.
- Discuss concerns with workers
- Review records that the employer is required to inspect such as:
 - First Aid Registers
 - Maintenance log books
 - Crane log books
 - Lists of chemical and biological substances
 - Pre-operational checklists

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OHC inspections

Module one
Introduction to inspections

Types of OHC inspections

1. Planned inspections
2. Inspections with an occupational health officer
3. Intermittent inspections



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OHC inspections

Module one
Introduction to inspections

1. Planned inspections

- Regular, **scheduled** OHC inspections.
- Have a predetermined who, what, and when.

Inspection of place of employment

3-17(1) An employer, contractor or owner shall allow members of a committee or a representative to inspect a place of employment at reasonable intervals determined by the committee or the representative and employer.

Section 3-17 of the Regulations, *Inspection of place of employment*

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OHC inspections

Module one
Introduction to inspections

2. Inspections with an occupational health officer

An employer must allow the worker co-chairperson or OHS representative to accompany an officer during the officer's workplace inspection.

Workers' contacts with officers

3-9(1) During an inspection or investigation by an officer at a place of employment, an employer shall allow one of the following to accompany the officer:

- (a) the worker co-chairperson or, in the co-chairperson's absence, any other worker that the committee may designate to represent workers;
- (b) if there is no committee, a worker designated by the trade union representing workers;
- (c) if there is no trade union representing workers, a worker designated by an officer;
- (d) the representative.

Section 3-9 of the Regulations, *Workers' contacts with officers*



OHC inspections

Module one
Introduction to inspections

3. Intermittent inspections

- **Unscheduled** and occur as needed

Examples:

- When new equipment is installed
- When the workplace undergoes significant workplace changes, such as downsizing or expanding
- After a project milestone
- When an incident or dangerous occurrence has happened
- When an occupational health officer issues a notice of contravention
- After an investigation of a worker refusal to do dangerous work



How the employer assists the OHC

Module one
Introduction to inspections

The employer can help the OHC be effective and efficient by:

1. Providing access to the information needed to complete inspections

Section 3-16(2) of the Act, *Duty to provide information*

Duty to provide information

3-16(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



Information

Module one
Introduction to inspections

Examples of relevant information include (but is not limited to):

- Existing and potential controls
- Work processes and procedures
- Biological and chemical substances
- Work environment monitoring results
- Reports from consultants
- Incident and dangerous occurrence investigation reports
- Records that the employer is required by legislation to keep



Information

Module one
Introduction to inspections

2. Ensuring the OHC members are trained

Section 4-9 of the Regulations, *Training of representatives, committee members*

The employer should ensure that:

- The OHC inspection teams are trained.
- Complex and hazardous technical inspections are completed by qualified persons.
- Where and when necessary, professional advice is obtained from an engineer, hygienist, ergonomist, or other subject matter expert.
- The OHC is consulted when external experts are used.



OHC inspections

Module one
Introduction to inspections

OHC inspection training should include:

1. General knowledge such as:

- Legislation
- The process to conduct inspections
- How to identify hazards and assess risk



Site-specific information such as:

- Workplace hazards and hazardous areas
- Worker orientation and training necessary to work safely
- Suppliers' recommendations



Special meetings

Module one
Introduction to inspections

Special meetings are called by either co-chairperson to address:

- Urgent concerns
- Imminent dangers
- Work refusals
- Incidents and dangerous occurrences



Section 4-7 of the Regulations, *Special meetings*



Knowledge check

Module one
Introduction to inspections

A planned inspection is:

- a. Random
- b. Scheduled
- c. Conducted by an occupational health officer
- d. Conducted only when new equipment is installed





Module two

Planning the Occupational Health Committee (OHC) inspection



Introduction

Module two
Planning the OHC inspection

Module two: Planning the Occupational Health Committee inspection

This module will:

- ✓ Explain how to plan the inspection.
- ✓ Review the steps in the inspection process.
- ✓ Describe the who, when and where in planning the inspection.
- ✓ Review how to identify hazards and assess risks.



Introduction

Module two
Planning the OHC inspection

Every inspection plan must consider:

- Who?
- When?
- Where?

WHO?

WHEN?

WHERE?



Who?

Module two
Planning the OHC inspection

WHO completes the OHC inspection?

Each committee decides who will complete the inspection.

- The co-chairpersons?
- The entire committee?
- Specific OHC members?
- Subject matter specialists?

WHO?



When?

Module two
Planning the OHC inspection

WHEN are OHC inspections completed?

OHC inspections are scheduled at **reasonable intervals**.

The employer and committee decide together what schedule best suits the workplace.

- Monthly?
- Quarterly?
- Annually?
- Prior to each OHC meeting?




Where?

Module two
Planning the OHC inspection

WHERE is the OHC inspecting?

The focus of an OHC inspection is to verify that the employer inspections have been completed.

The OHC must know what the employer is responsible for inspecting and plan accordingly.

What items may be exposed to vibration, temperature variations and general wear and tear?




Where?

Module two
Planning the OHC inspection

Consider:

- Which **tools and equipment** are used rarely, occasionally and frequently?
- What **tasks** do workers perform rarely, occasionally and frequently?
- What are the **common** or easy-to-access **areas**?
- Where are the **out-of-the-way areas**, such as parking lots, rest areas and storage areas?
- Which fixtures or equipment are most **likely to be affected** by routine wear and tear, vibration or temperature extremes?




Inspection steps

Module two
Planning the OHC inspection

There are four main steps in the inspection process.

- 1 Determine what to inspect
- 2 Develop an inspection checklist
- 3 Conduct the inspection
- 4 Manage inspection results



What?

Module two
Planning the OHC inspection

1 Determine what to inspect

When planning inspections consider what hazards are likely to be encountered and where.



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Determine what to inspect

Module two
Planning the OHC inspection

Four categories to inspect:



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Determine what to inspect

Module two
Planning the OHC inspection

PEOPLE

Examples:

- Training records
- Orientation records
- Safe work practices and procedures
- Supervision
- Worker and supervisor experience

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Determine what to inspect

Module two
Planning the OHC inspection

Examples:

- Machines
- Mobile equipment
- Hand tools and power tools
- Personal protective equipment (PPE)
- Emergency and first aid equipment

EQUIPMENT AND TOOLS

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Determine what to inspect

Module two
Planning the OHC inspection

Examples:

- Housekeeping
- Dust, fumes, particulates, vapours
- Light and noise
- Emergency evacuation plans
- Ergonomics



Determine what to inspect

Module two
Planning the OHC inspection



Examples:

- Chemicals and hazardous substances
- Biological substances
- How materials are stored and accessed



Hazard review

Module two
Planning the OHC inspection

A safety hazard is anything could cause an **injury**.

Injuries caused by a safety hazards are usually more obvious.

Examples:

- Slips, trips and falls
- Sharp edges
- Pinch points
- Being caught or struck
- Working at heights



Hazard review

Module two
Planning the OHC inspection

During the inspection ask the following questions:

- Will something cause slips, trips or falls?
- What might result in scalds, burns or cuts?
- Can a worker be caught in or struck by equipment?
- Is a worker working at heights?
- What is specific to your industry and work operations?



Module two

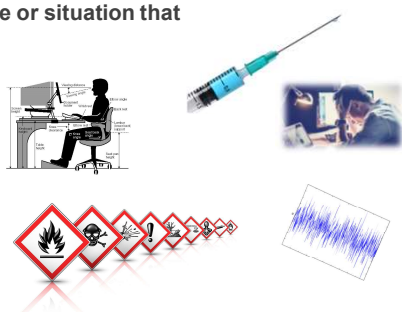
Planning the OHC inspection

Hazard review

A health hazard is any agent, exposure or situation that can cause an occupational **illness.**

There are five categories:

1. Biological hazards
2. Chemical hazards
3. Physical hazards
4. Ergonomic hazards
5. Psychosocial hazards



During the inspection ask if any hazards are present in any of these categories

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Module two

Planning the OHC inspection

Assess risk review

RISK ASSESSMENT MATRIX

LIKELIHOOD \ CONSEQUENCES	1	2	3	4	5		
5	5	10	15	20	25	High	Stop work until controls reduce the risk to an acceptable level.
4	4	8	12	16	20		
3	3	6	9	12	15	Medium	Use temporary measures to reduce the risk until permanent controls can be implemented.
2	2	4	6	8	10		
1	1	2	3	4	5	Low	Policies and procedures often resolve this level of risk. Continue work with caution.

LIKELIHOOD

5. **Almost Certain** (Expected to occur regularly under normal circumstances)

4. **Likely** (Expected to occur at some time under normal circumstances)

3. **Possible** (May occur at some time under normal circumstances)

2. **Unlikely** (Not likely to occur under normal circumstances)

1. **Rare**

CONSEQUENCES

5. **Fatality**

4. **Major Injury** (Permanent Disability)

3. **Serious Injury** (Time Loss Incident)

2. **Medial Aid Incident** (Healthcare Facility Treatment)

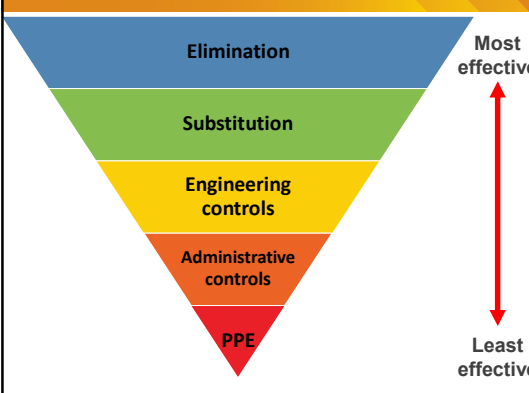
1. **Minor Injury** (First Aid at Worksite)

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Module two

Planning the OHC inspection

Control review



Hierarchy of controls

Most effective

Least effective

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Module two

Planning the OHC inspection

Identify standards

Identify the standards that the workplace measures against

The inspection compares the current state to the expected standard for:

- People
- Equipment
- Environment
- Materials



Standards:

- Help to identify deficiencies
- Should be built into the inspection checklist
- Can be included when writing recommendations

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Determine what to inspect

Module two
Planning the OHC inspection

Standards **measure** workplace conditions.

Examples of standards:

- Equipment operator's manuals
- Industry best practices
- Legislation
- Supplier information
- Manufacturers' recommendations



Knowledge check

Module two
Planning the OHC inspection

	Question	TRUE	FALSE
1	You do not need to look in out-of-the-way places.		X
2	Specific OHC members should always conduct the inspections.		X
3	Standards are always identified by OHS legislation.		X
4	The OHC will want to know what the employer is responsible to inspect.	X	
5	The OHC determines when to do inspections		X



Module three

Preparing for an OHC inspection



Introduction

Module three
Preparing for an OHC inspection

Module three: Preparing for an OHC inspection

This module will:

- ✓ Explain how to develop the inspection checklist.
- ✓ Explain the activities to complete before inspecting.
- ✓ Demonstrate how to conduct an OHC inspection.
- ✓ Describe the communications with workers, supervisors, subcontractors and self-employed individuals on the worksite.



Inspection checklist

Module three
Preparing for an OHC inspection

2 Develop an inspection checklist

A good inspection checklist is **unique** to the business and **specific** to the worksite area.

Checklists should:

- Be consistent, systematic and efficient
- Help inspectors remember what to inspect
- Allow for comparing current conditions with standards
- Help with developing recommendations



Inspection checklist

Module three
Preparing for an OHC inspection

Three basic components of a checklist:

1. Identify the standards to which your workplace measures items
2. Take each standard and develop it into a yes/no question
3. Organize the questions by topic



Inspection checklist

Module three
Preparing for an OHC inspection

The checklist should:

- Include relevant people, equipment, materials and environment
- List equipment in each area
- Reference applicable safe work practices
- Have a column for yes/no
- Have a section to record observations (take notes)

****There are no standardized inspection forms**



Inspection checklist

Module three
Preparing for an OHC inspection

Include space for additional notes.

- Hazards identified that are not on the checklist
- Changes in floor plan, equipment position, or new installations
- Observations of things going well (excellent housekeeping, people following safe work procedures, pre-use records complete)



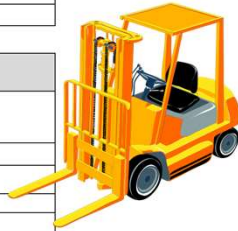
Inspection checklist

Module three
Preparing for an OHC inspection

Unit inspected:
Date and time:
Person(s) inspecting:

Checklist questions for forklift truck

Item	Standard	Ok		Notes
		Yes	No	
Is a visual inspection completed prior to use?	Section 11-3 of the Regs, <i>Visual inspection</i>			
Are maintenance logs up to date?	Section 11-4 of the Regs, <i>Inspection and maintenance</i>			
Can operators readily access logs?				
Is the horn working properly?	SMS SOP #123: Forklift pre-operational check			
Is the backup alarm working?				
Does the operator use the seatbelt?				
Are only trained people operating the forklift?	Section 11-2 of the Regs, <i>Trained operators for powered mobile equipment</i>			



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Inspection checklist

Module three
Preparing for an OHC inspection

Area(s) inspected:
Date and time:
Person(s) inspecting:

Checklist questions for the Office

Item	Standard	Ok		Notes
		Yes	No	
Floors and stairs free of obstructions and tripping hazards?	SMS Policy #56 – Office Housekeeping			
Plug ins where they are needed?	SMS Policy #34 – Office Electrical			
Extension cord use minimized?				
No use of daisy chains? (multiple cords and/or power bars connected together)				
Ergonomic workstations used?	SMS SWP #87: Computer Station Set Up			
They properly adjusted?				
They suitably lit?				
Screen images stable and clear?				
Workers trained to adjust?				



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Inspection checklist

Module three
Preparing for an OHC inspection

Area(s) inspected:
Date and time:
Person(s) inspecting:

Checklist questions for hazardous materials and substances

Item	Standard	Ok		Notes
		Yes	No	
Workers trained in WHMIS?	Section 22-4 of the Regs, <i>Worker education and training</i>			
Listing of chemical and biological substances available and current?	Section 21-2 of the Regs, <i>List of chemical and biological substances</i>			
SDSs readily available?	Section 22-13 of the Regs, <i>Availability of safety data sheets</i>			
Container markings clear and visible?	SMS Policy# 2: Chemical Labeling			
Safe work procedures used?	SMS SWP#88: Safe handling of hazardous materials			
Required PPE available?				
Required emergency equipment available?				



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Prepare

Module three
Preparing for an OHC inspection

Review relevant documents

Prior to the inspection, review relevant documents.

Some examples are:

- The most recent OHC inspection record
- OHC minutes and recommended corrective actions
- OHC minutes and workers' concerns
- Incident reports and their accompanying investigation reports
- First aid equipment locations
- Equipment and tools usually located in each area



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Prepare

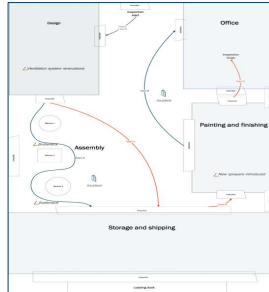
Module three
Preparing for an OHC inspection

Plan the inspection route

Be familiar with floor plans, workflows and restricted areas.

Consider:

- Previously identified hazards
- Location of any recent incident(s)
- Bottlenecks in traffic patterns
- Shift start and end times
- Recent work operation modifications



Prepare

Module three
Preparing for an OHC inspection

Assemble the resources

The employer has a duty to provide resources and required information to the OHC.

Examples include:

- Inspection checklist
- Clipboard, pens, pencils
- If necessary, a flashlight and measuring tape
- Restricted area locations
- Personal protective equipment (PPE)



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Conduct the inspection

Module three
Preparing for an OHC inspection

3 Conduct the inspection

- ✓ The who, when, where, and what has been determined
- ✓ The checklist has been developed
- ✓ The relevant documents have been reviewed
- ✓ The inspection route has been determined
- ✓ The inspection resources are gathered



Time to inspect!

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Conduct the inspection

Module three
Preparing for an OHC inspection

Communicate with workers

- Minimize disruption and keep conversations about the inspection
- As needed, explain the purpose of the OHC inspection
- Ask questions and take notes about worker concerns



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Conduct the inspection

Module three
Preparing for an OHC inspection

Communicate with supervisors

- Ask about inspections commonly required in their work areas
- Learn about the health and safety concerns workers bring forward
- Ask about prior corrective actions and their effectiveness
- Ask about new workers and how they are orientated and trained
- Ask how new equipment, new tools or safe work practices are implemented



Conduct the inspection

Module three
Preparing for an OHC inspection

Communicate about subcontractors and self-employed parties

- The OHC has no duty to monitor the workers of another employer
- Don't enter work areas not controlled by your employer
- Follow your employer's process to identify and report safety concerns regarding subcontractors and self-employed individuals
- Discuss urgent matters immediately with the work area supervisor



Remember!

Module three
Preparing for an OHC inspection

Inspect safely

- Follow work area rules
- Use PPE

Communicate

- Talk with workers and supervisors
- Record concerns

Minimize disruption

- Observe rather than disrupt work
- Focus conversation on the inspection

Look in out of the way places

- What process areas are seldom used?
- What storage areas are seldom used?

Use all senses

- Hazards can be seen, felt, heard, or smelled



Knowledge check

Module three
Preparing for an OHC inspection

	Question	TRUE	FALSE
1	You never need to wear PPE when conducting inspections.		
2	It's important to speak with workers about their concerns.		
3	Inspection checklists are standard forms provided by the Ministry for use by all employers in Saskatchewan.		
4	The OHC has authority over all subcontractors working on site.		
5	Inspection checklists should be specific to your workplace.		



Inspection activity

Module three
Preparing for an OHC inspection

SCENARIO BACKGROUND:

You joined the OHC a few months ago and you and three other members recently finished Occupational Health Committee Level 2. You are relatively new to the inspection processes; however, you are working with an employer who seems to be proactive about their inspections. This is the first time you are taking part in an actual OHC inspection.

It is a planned inspection that is to begin at 8:30 am on August 10, 2024. The OHC will be inspecting the Wood Shop 3 located in a separate building at the back of the property. You are not a tradesperson, so you don't know much about the day-to-day operations.

You do know there are:

- Several saws
- Several assembly areas
- Some mobile equipment in the shop

What are some documents you might request to review before inspecting?



Inspection activity

Module three
Preparing for an OHC inspection

What are some documents that you might request to review before inspecting the area?

Some examples:

- Previous OHC inspection records
- Completed OHC minutes
- First aid kit locations and registers
- Emergency evacuation posters/plans
- Incident reports
- SDS book/chemical inventory
- Safe work procedures for operating table saw, band saw or other saws
- Equipment inventory



Inspection activity

Module three
Preparing for an OHC inspection

After reviewing the documents requested, you learn:

- The ventilation system and the forklift are maintained by contracted professionals (external).
- It appears that there are proper maintenance records for the forklift and the ventilation system.
- There have been no worker concerns brought to the OHC's attention.
- All facility garbage containers are to be emptied bi-weekly.
- Floors are to be swept daily in the wood shop.
- All tools and equipment must be inspected prior to use.
- Dust masks are required to be worn in Wood Shop 3.



Inspection activity

Module three
Preparing for an OHC inspection

During the inspection you notice:

- There is excess wood dust.
- PPE supplies are well stocked and available.
- Items are being stored in walkways because there is a lack of shelf space.
- Stacked wood materials are disorderly.
- The garbage containers are full and overflowing.
- There is a guard missing on a table saw.
- Supervisors and workers are wearing the appropriate PPE including dust masks.

When speaking with workers in the area, they express concerns with the excess dust and the cluttered walkways.



Inspection activity			Module three Preparing for an OHC inspection	
Inspection of: Wood Shop 3		Date: Aug 10, 2024 Time: 8:30 am	Inspected by: Jim Oats Jane Wheatland	
Item	Standard	Meets Standards		Notes
		Yes	No	
Do ventilation system records verify preventative maintenance is complete?	SMS inspection policy # 5678 states twice per calendar year. Section 6-3 of The Regulations, <i>Mechanical ventilation</i>		✓	<i>Vent. system maintenance logs dated Aug.10, 2024 indicate maintenance is complete - but OHC inspectors noticed excess wood dust in woodworking shop.</i>
Have worker(s) reported concerns? When?		✓		<i>When speaking with workers during inspection they reported concern with air quality and cluttered walkways.</i>
Is the required PPE for working in a wood shop readily available?	SMS PPE policy #123: wood shop	✓		<i>Supply cabinet on north wall is fully stocked with required PPE.</i>

Inspection activity			Module three Preparing for an OHC inspection	
Item	Standard	Meets Standards		Notes
		Yes	No	
Is required PPE being used as stated in the policy?	SMS PPE Policy #123: wood shop	✓		<i>Workers and supervisors were observed wearing required PPE.</i>
Housekeeping – Is place of employment clean and sanitary, including garbage and floors?	Section 6-1 of The Regulations, <i>Sanitation</i>		✓	<i>Garbage cans are overflowing and there is wood dust covering the floors</i>
Does the wood shop allow safe means to enter and exit work areas?	Section 16-1 of The Regulations, <i>General duty re entrances, exits</i>		✓	<i>Travel ways, walkways and access to material are cluttered. Material being stored in walkways</i>
Is material and equipment placed, stacked or stored in a safe manner?	Section 9-18 of The Regulations, <i>Storage of materials</i>		✓	<i>Stacks of 2 x 4's and plywood sheets look concerning. Looks like the pile might slide/collapse.</i>
Confirm all wood shop saws are in good condition have the safeguards in place.	Policy 475 – Safeguards must not be removed from tools or equipment		✓	<i>Guard missing on table saw Unit#123</i>



Module four
Managing inspection results

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Introduction
Managing inspection results

Module four: Managing inspection results

This module will:

- ✓ Demonstrate how to record inspection results.
- ✓ Explain how to write recommendations.
- ✓ Describe how to communicate inspection results.
- ✓ Identify considerations for review of the inspection system.

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Create an inspection record

Module four
Managing inspection results

Completed inspection checklists capture the inspection results and serve as a record.

Clearly identify the uncontrolled hazard

- Who, when and what was inspected?
- What deficiencies were identified?
- What worker concerns were noted?
- What positive observations were present?
- Did an urgent matter result in calling a special meeting of the OHC?



Create an inspection record

Module four
Managing inspection results

At regular OHC meetings:

- Review the most current inspection record(s).
- Ensure the inspection record is referenced or included in the meeting minutes.
- Review if prior recommendations were implemented by the target date(s).



The OHC's duty

Module four
Managing inspection results

4 Manage inspection results

The OHC's duty is to:

- Post OHC inspection results
- Recommend corrective actions for identified deficiencies



The OHC's duty

Module four
Managing inspection results

Recommend corrective action

Short-term recommendations

- Temporarily control the hazard
- Can be implemented immediately to protect workers

Long-term recommendations

- Address the underlying cause(s) of the substandard act or condition
- Remove or control the root cause



The employer's duty

Module four
Managing inspection results

It is the **employer's duty to implement controls** that will remove the hazards or reduce the risk presented by hazards.

When the employer receives written notice of an unsafe condition, the employer shall:

1. Take immediate steps to protect workers' safety
2. Take suitable action to correct the unsafe condition as soon as possible
3. Inform OHC in writing of actions taken or not taken (and why)

Section 3-17 (2) of the Regulations, *Inspection of place of employment*



The OHC's duty to communicate

Module four
Managing inspection results

When the OHC completes inspections and recommends controls, the OHC shall:

- **Post** OHC inspection records and include a reference in OHC minutes
- **Verify** what short-term controls have been implemented
- **Inform** workers what will be done to remove or permanently control the hazards



Monitor and follow up

Module four
Managing inspection results

Both the employer and the OHC have a duty to monitor the effectiveness of controls.

Consider the following questions:

- Did the employer implement the recommended control?
- Is the control effective?
- Did the control introduce a new and unexpected hazard?
- Were the OHC recommendations recorded in the regular OHC meeting minutes? Why? Why not?



Review the inspection process

Module four
Managing inspection results

The OHC reviews the effectiveness of its inspection system.

When reviewing the OHC inspection processes, consider the following:

- Are inspection procedures and schedules in place?
- Does the OHC inspect before every regular scheduled OHC meeting?
- Are concerns discussed with workers during inspections?
- Are OHC inspections frequent enough?
- Are inspection reports given to the appropriate person at our workplace?
- Are inspections identifying concerns, hazards and risks?
- What effect are inspections having?
- Does the employer report back to the OHC?



Knowledge check

Module four
Managing inspection results

The OHC must create an inspection record to keep on file as a record to prove the inspection was completed.

- a. true
- b. false



Module five

Introduction to investigations



Introduction

Module five
Introduction to investigations

Module five: Introduction to investigations

This module will:

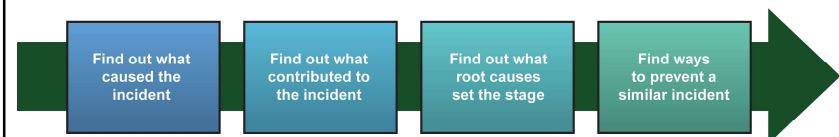
- ✓ Determine what an incident investigation is.
- ✓ Describe the purpose and benefits of completing an investigation.
- ✓ Review the roles of the worker, employer and OHC or representative.
- ✓ Determine what incidents are required to be reported to the ministry.
- ✓ Determine what incidents need to be investigated according to legislation.



Investigations

Module five
Introduction to Investigations

- Conducting investigations is an important function of the OHC and representatives.
- Effective investigations must be part of an employer's health and safety system.
- The purpose of an investigation is to **PREVENT RE-OCCURRENCE**.



Investigations

Module five
Introduction to Investigations

It is important to understand the benefits of an investigation.

Investigations are done:



- To understand what happened and why
- To identify corrective actions that will prevent a re-occurrence
- To identify trends
- To make the workplace healthy and safe



Definitions

Module five
Introduction to investigations

What is an incident?

- Not defined in legislation
- Any unplanned, unwanted event that causes:
 - Injury or illness
 - Damage or loss to property or to the environment



What is a dangerous occurrence?

- An incident that **does not but could have** resulted in a condition or circumstance set out Section 2-2 of the Regulations, *Accidents causing serious bodily injury*
- Eight examples of what is considered a dangerous occurrence are listed in Section 2-3(1) of the Regulations, *Dangerous occurrences*



The role of the worker

Module five
Introduction to investigations

Investigations benefit from worker involvement.

Benefits include:

- More effective investigations
- Demonstrates that workers' perspectives are valued
- Improves acceptance of recommendations



The role of the OHC

Module five
Introduction to investigations

OHC and representatives' investigators are expected to:

- Collect and analyze evidence
- Help find root causes and recommend corrective action
- Improve the effectiveness of the employer's health and safety systems

REMEMBER!!

It is the **EMPLOYER'S** responsibility to implement corrective actions



The role of the employer

Module five
Introduction to investigations

The employer is responsible to:

- Ensure effective incident investigations
- Integrate investigations into the health and safety system
- Provide the investigation team with training and resources
- Implement appropriate corrective actions to address root cause and prevent re-occurrence



The role of the employer

Module five
Introduction to investigations

Notice requirements for incidents and dangerous occurrences

The **employer must** notify the Ministry of Labour Relations and Workplace Safety (the ministry) of:

- Fatalities or accidents causing serious bodily injury
 - Incidents requiring hospitalization (in-patient) for 72 hours or more
Section 2-2 of the Regulations, *Accidents causing serious bodily injury*
- Dangerous occurrences
 - Could have resulted in a fatality or serious bodily injury
Section 2-3 of the Regulations, *Dangerous occurrences*



Investigations

Module five
Introduction to investigations

Investigations described under Sections 3-18 and 3-20 of the Regulations, are usually completed by OHC's.

Investigations are completed by:

1. The OHC co-chairpersons or designates
2. The representative and the employer; **OR**
3. The employer (where there is no OHC or representative)

Section 3-18 of the Regulations, *Investigation of certain accidents*
Section 3-20 of the Regulations, *Investigation of dangerous occurrences*



Investigations

Module five
Introduction to investigations

The employer must ensure that the following types of incidents are investigated:

Certain accidents



- Is an injury that causes or may cause the death of a worker, or
- Requires a worker to be admitted to the hospital as an in-patient for more than **24 hours**

Investigation of certain accidents
3-18(1) Subject to section 3-19, an employer shall ensure that every accident that causes or may cause the death of a worker or that requires a worker to be admitted to a hospital as an in-patient for a period of 24 hours or more is investigated as soon as is reasonably possible by:

- (a) the co-chairpersons or their designates;
- (b) the employer and the representative; or
- (c) if there is no committee or representative, the employer.

Section 3-18 of the Regulations, *Investigation of certain accidents*



Prohibition re scene of accident

Module five
Introduction to investigations

In the unfortunate event of a fatality or serious bodily injury, **the scene must not be interfered with** until an occupational health officer has completed an inspection.

An officer **may** grant permission to move items to allow work to proceed if:

- (a) graphics, photographs or other evidence showing details at the scene of the accident are made before the officer grants permission; and
- (b) the co-chairpersons of a committee or the representative for the place of employment at which the accident occurred or their designates have inspected the site of the accident and agreed that the wreckage, article or thing may be moved.

Section 3-19 of the Regulations, *Prohibition re scene of accident*

***Except for the purpose of saving a life or relieving suffering**



Investigations

Module five
Introduction to investigations

Dangerous occurrences



Investigation of dangerous occurrences

3-20(1) An employer, contractor or owner shall ensure that every dangerous occurrence as defined in subsection 2-3(1) is investigated as soon as is reasonably possible by:

- (a) the co-chairpersons or their designates;
- (b) the employer, contractor or owner and the representative; or
- (c) if there is no committee or representative, the employer, contractor or owner.

Section 3-20 of the Regulations, *Investigation of dangerous occurrences*



Investigations

Module five
Introduction to investigations

Work-related exposures to infectious materials or infectious disease



- (k) require the investigation and documentation, in a manner that protects the confidentiality of the exposed worker, of any work-related exposure incident, including the route of exposure and the circumstances in which the exposure occurred; and
- (l) require the investigation of any occurrence of an occupationally transmitted infection or infectious disease to identify the route of exposure and implement measures to prevent further infection.

Section 6-22 (k, l) of the Regulations, *Exposure control plan*

The employer, in consultation with the OHC, shall investigate work-related exposure incidents.



Investigations

Module five
Introduction to investigations

Work-related exposures to listed substances resulting from accumulations, spills, or leaks



Report of worker's exposure

21-10(1) If an accumulation, spill or leak of a chemical substance or biological substance listed in Table 16 or 17 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, an employer, in consultation with the committee, shall investigate the incident as soon as is reasonably possible and prepare a written report that includes:

Section 21-10 of the Regulations, *Report of worker's exposure*

The employer, in consultation with the OHC, shall investigate a worker's exposure to the chemical or biological substances listed in **Appendix Table 16 or 17.**



Investigations

Module five
Introduction to investigations

Medical confidentiality

All individuals have a duty to not disclose a worker's personal medical information

Medical information

2-4(1) Subject to subsection 3-10(2), no person who acquires information of a personal medical nature with respect to a worker pursuant to these regulations shall disclose that information except:

- (a) to the worker;
- (b) to the chief occupational medical officer;
- (c) with the informed consent of the worker, to another person; or
- (d) if otherwise required by law.

Section 2-4 of the Regulations, *Medical information*



Investigations

Module five
Introduction to investigations

Work refusals



Right to refuse dangerous work

3-31 A worker may refuse to perform any particular act or series of acts at a place of employment if the worker has reasonable grounds to believe that the act or series of acts is unusually dangerous to the worker's health or safety or the health or safety of any other person at the place of employment until:

- (a) sufficient steps have been taken to satisfy the worker otherwise; or
- (b) the occupational health committee has investigated the matter and advised the worker otherwise.

Section 3-31 of the Act, *Right to refuse dangerous work*



Investigations

Module five
Introduction to investigations

Special meetings

Co-chairpersons can call a special meeting to:

- Discuss urgent concerns or imminent dangers to health or safety
- For investigations of accidents, dangerous occurrences, or refusals to work

Section 4-7 of the Regulations, *Special meetings*



Discriminatory action

Module five
Introduction to investigations

Discriminatory action: is any action (or threat of action) taken by the employer towards a worker that negatively affects that worker.

The definition provided by legislation includes **13 examples** of discriminatory action.

(i) “**discriminatory action**” means any action or threat of action by an employer or person acting on behalf of 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:

Section 3-1(1)(i) of the Act, *Interpretation of Part*

*The above is only part of the full definition. Please refer to the legislation for full details.

Discriminatory action

Module five
Introduction to investigations

No employer can take discriminatory action against a worker for:

- Acting in compliance with legislation
- Seeking enforcement of the legislation
- Assisting with the activities of the OHC or representative
- Performing the function of an OHC member or safety representative
- Exercising the right to refuse
- Providing information to the OHC, a safety representative or an officer
- **OR** any other circumstance listed in Section 3-35 of the Act, *Discriminatory action prohibited*



Knowledge check

Module five
Introduction to investigations

1. The employer must notify the Ministry of Labour Relations and Workplace safety of which types of incidents?

- Incidents resulting in a worker's hospitalization of 72 hours or more.
- Incidents resulting in a worker's hospitalization of 24 hours or more.
- All workplace incidents.
- All incidents that are being investigated.



Knowledge check

Module five
Introduction to investigations

2. Workers are not protected from discrimination for acting in compliance with the legislation.

- true
- false

3. The OHC must investigate a work refusal.

- true
- false



Module six

Conduct investigations



Introduction

Module six
Conduct investigations

Module six: Conduct investigations

This module will:

- ✓ Review the investigation process.
- ✓ Demonstrate how to identify, collect, label and verify physical evidence.
- ✓ Demonstrate how to collect documentary evidence.
- ✓ Review how to interview witnesses.



The employer's duty

Module six
Conduct investigations

REMEMBER!!

When the employer receives written notice of an unsafe condition, the employer shall:

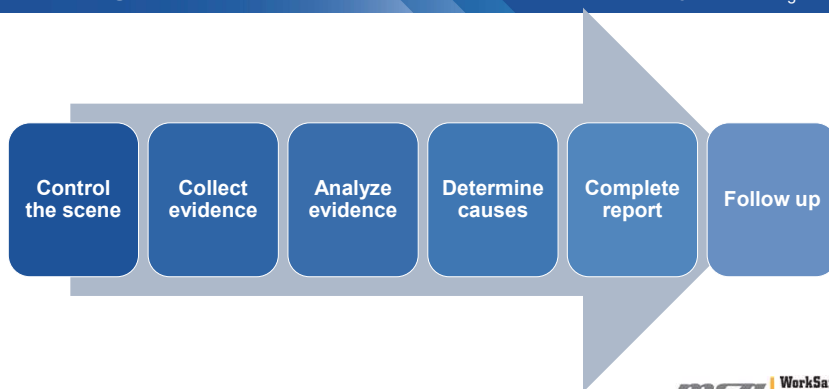
1. Take immediate steps to protect workers' safety
2. Take suitable action to correct the unsafe condition as soon as possible
3. Inform OHC in writing of actions taken or not taken (and why)

Section 3-17 (2) of the Regulations, *Inspection of place of employment*



Investigation process

Module six
Conduct investigations



Control the scene

Module six
Conduct investigations

The scene of an incident must be secured.

- The committee is not usually involved at this level.
- Often the supervisor is the person to control the scene.



Control the scene to:

1. Prevent further injury or damage
2. Preserve then evidence until it can be collected
3. Ensure safety for emergency response personnel

Control the scene



Supervisors

Module six
Conduct investigations

It is valuable to involve supervisors in incident investigations.

Immediately after an incident, supervisors can help to:



- Secure the scene
- Activate the emergency response plan
- Ensure that transportation of injured workers aligns with legislation and company policy
- Activate appropriate internal and external notification protocols
- Take initial notes and make initial sketches
- Identify witnesses
- Provide information to the OHC investigation team



Do you know??

Module six
Conduct investigations

You are an OHC member. In the event of an incident, do you know the emergency response procedures at your workplace?

- What happens when a person has a serious injury?
- Who is responsible to call 911?
- What happens when your workplace calls fire, police or ambulance?
- Does your organization know about the duty to notify the ministry in cases of serious accidents or dangerous occurrences?
- How, when and by whom is the OHC informed about an incident?
- What does the OHC do when they become aware of a serious incident situation?

If you are unfamiliar with the emergency response procedures in your workplace, please follow up with your employer.

Collect evidence

Module six
Conduct investigations

There are three types of evidence:

1. Physical evidence
2. Documentary evidence
3. Interview evidence



Collect
evidence



Collect evidence

Module six
Conduct investigations

Physical evidence: any physical object that can be directly linked to the incident

Before moving items:

- Photograph the location
- Sketch its relationship to the larger view
- Label the item

Catalog the evidence with:

- Notes
- Photographs
- Video footage
- Sketches
- Map drawings

When handling physical evidence, be sure to use safe work procedures and required PPE



Collect evidence

Module six
Conduct investigations

Depending on the nature of the incident, you can check the following:



- **Equipment, tools, and machinery** for signs of breakage or poor maintenance
- The **positions** of equipment, tools, debris, or other materials involved
- Operating **controls and safety devices** to see if they were working properly
- **Damage and wear patterns**, skid marks or other environmental observations



Collect evidence

Module six
Conduct investigations

Examples of physical evidence:

- Broken equipment parts
- Positions of operating controls and safety devices
- Potentially contaminated food or drink containers
- Skid marks
- Liquid spills
- Evidence of insects and other animals
- Damage done to tools, machinery, and equipment



Collect evidence

Module six
Conduct investigations

Documentary evidence: any evidence that is in written (or digital) form

Related documents can provide valuable insight into the incident.

Review documentary evidence to:

- Verify worker orientation and training
- Understand job procedures
- Confirm equipment maintenance
- Verify physical and psychological job demands
- Verify PPE requirements



Collect evidence

Module six
Conduct investigations

Examples of documentary evidence:

- Equipment manuals
- Maintenance records
- Operator logbooks
- Inspection records
- Orientation and training records
- Safe work procedures
- Worker concerns
- OHC minutes
- Legislation and industry standards for the work performed
- Investigation reports from similar incidents



Collect evidence

Module six
Conduct investigations

Interview evidence: any evidence that is relayed by a witness

When planning interviews identify who to interview and think about what information the interview may provide.

Consider the following:

- Who was involved in the incident, saw it, or were first on the scene?
- Who knew what was happening right before the incident?
- Who else may have related information such as course providers, technical experts, or other employees?



Incident scenario recap

Module six
Conduct investigations

- Recent shift change between day shift and night shift.
- 2 workers (Worker 1 = finishing the day shift, Worker 2 = starting the night shift).
- Forklift parked where Worker 1 normally parks it, with the forks lifted and loaded with a pallet of pipe material.
- Worker 2 was recently hired. They were asked to operate the forklift.
- Worker 2 started the equipment and it instantly jerked forward.
- Worker 2 gained control of the machine. At that point, Worker 2 noticed the lifted forks and the load of pipe material.
- Worker 2 left the forklift running and did not engage the emergency parking brake. Worker 2 got off the forklift and walked around to inspect the load.
- The forklift rolled forward and pinned Worker 2 between the forklift load and the post. This resulted in an injury to Worker 2.
- The scene was secured, Worker 2 was taken for medical care, the ministry was notified, the scene was cleared and the evidence collection began.



Evidence activity



What evidence
can we collect?

Physical
evidence?

Documentary
evidence?

Interview
evidence?

Evidence activity

Module six
Conduct investigations

Physical evidence examples include the following:

Physical
evidence?

- Forklift position
- Pole location
- Height of forks
- Tilt of forks
- Method of load securement (broken, inadequate, non-existent)
- Photographs of scene
- Broken parts of anything
- Security video



Evidence activity

Module six
Conduct investigations

Documentary evidence examples include the following:

- Forklift training records (for both operators)
- Safe operating procedures
- Forklift maintenance records
- Pre-operation inspection record

Documentary
evidence?



Evidence activity

Module six
Conduct investigations

Potential witnesses could include the following people:

- Worker 1
- Worker 2
- Supervisor
- Other workers in the area

Interview
evidence?



Collect evidence

Module six
Conduct investigations

Plan the interview

- Interview witnesses within the first 24 hours, if possible
- Keep witnesses from talking with each other about the incident
- Expect contradictions in witness statements
- Interview witnesses alone, not in a group
- Schedule interviews in a neutral and private place where you can speak without interruption



Collect evidence

Module six
Conduct investigations

An incident investigation interview is not an interrogation.

Create a positive environment by following these tips:

- Treat everyone with respect
- Be sensitive to the emotional condition of each witness
- Create an informal environment
- Reassure each witness
- Let the witness talk without interruption
- Don't rush but keep the interview on topic
- Take notes and record critical information
- Review each person's written statement with them and have them sign and date the statement at the bottom of the page.



Collect evidence

Module six
Conduct investigations

Conduct interviews

1.

- Gather basic information.
- Start with general questions, then go into detail.
- Clear up uncertainties. Be an active listener

2.

- Ask each witness to describe how they became aware of the incident.

3.

- Ask each person to describe what they heard, felt, and did before, during and immediately after the incident.
- Let the witness explain the events in their own words.



Collect evidence

Module six
Conduct investigations

Interview question types

- **Specific** questions – prompt witness to provide specific details
What time did you arrive at the scene?
- **Clarifying** questions – prompt witness to provide additional details
Who else was there?
- **Open ended** questions - Prompt a long thoughtful response
Can you describe the position of the damaged equipment?
- **Closed ended** questions – answered with a “yes” or “no”
Did you see the equipment moving?



Interview activity

Module six
Conduct investigations



Watch a witness being interviewed following the forklift incident

After watching Witness interview one, do you think any mistakes were made during the interview?



Interview activity

Module seven
Conduct investigations

After watching the Witness interview, do you think any mistakes were made during the interview?

The first error, the interview took place too long after the incident.

The interviewer also made the following mistakes:

- He told the witness what happened
- He used too many close ended questions
- His attitude was condescending and disrespectful
- He used poor facial expressions indicating disinterest
- He did not take notes throughout the interview



Interview activity

Module seven
Conduct investigations



Let's try that interview again!

After watching the Witness interview two, what do you think the interviewer did differently this time?



Interview activity

Module seven
Conduct investigations

After watching the Witness interview two, what do you think the interviewer did differently this time?

This time the interview took place within 24 hours following the incident.
The interviewer also followed these recommended practices:

- He explained the purpose of the interview
- He was interested in what the witness was saying
- He used different question types
- He clarified details when it was necessary
- He was polite and respectful
- He took notes throughout the interview
- He offered support to the witness



Knowledge check

Module seven
Conduct investigations

1. Arrange the six (6) steps in the investigation process in the correct order (A-F).

- A. Complete report
- B. Analyze evidence
- C. Collect evidence
- D. Follow up
- E. Determine causes
- F. Control the scene



Knowledge check

Module seven
Conduct investigations

Which of the following is NOT a responsibility of the investigation team?

- a. determine potential witnesses
- b. gather physical and documentary evidence
- c. determine the cost of the incident
- d. take photographs of the scene





Module seven

Analyze evidence and determine incident causes

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Introduction

Module seven
Analyze evidence and determine cause

Module seven: Analyze evidence and determine incident causes

This module will:

- ✓ Determine how to analyze evidence using incident factors.
- ✓ Demonstrate how to determine direct, indirect and root cause.
- ✓ Review the five why technique for determining root cause.

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Analyze evidence

Module seven
Analyze evidence and determine cause

- Examine findings in detail and consider what they reveal about the incident
- Match the physical and documentary evidence with the interview evidence
- Consider what substandard actions and/or conditions may have been contributing factors

Analyze evidence



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Analyze evidence

Module seven
Analyze evidence and determine cause

Analyze the evidence

Go through each stage of the incident to evaluate how each factor may have contributed

- People
- Material
- Task
- Environment
- Equipment



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Analyze evidence Module seven
Analyze evidence and determine cause



Questions you can ask to help determine **people factors include:**

- Was there pressure to complete tasks under a deadline, or to by-pass safety procedures?
- Were the workers experienced in the work being done?
- Had the workers been adequately trained?
- Was there direct supervision?
- Could the workers have been tired?

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Analyze evidence Module seven
Analyze evidence and determine cause



Questions you can ask to help determine **material factors include:**

- Were hazardous substances involved?
- Were hazardous substances clearly identified?
- What was the weight of the materials being lifted and/or carried?
- Was the material on the pallets properly secured?
- How and where were the materials being stored?

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Analyze evidence Module seven
Analyze evidence and determine cause



Questions you can ask to help determine **task factors include:**

- Was the proper safe work procedure being used?
- Was the appropriate PPE available and used?
- Was there adequate supervision?
- Was a proper lockout procedure used?
- Have jobs been ergonomically assessed?
- Was the worker(s) involved aware of the existing standards and procedures?

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Analyze evidence Module seven
Analyze evidence and determine cause



Questions you can ask to help determine **environment factors include:**

- Was noise a contributing factor?
- Was poor housekeeping a contributing factor?
- Was there adequate light or a glare?
- What were the weather conditions?
- Were toxic gases, dusts, or fumes present?

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Analyze evidence

Module seven

Analyze evidence and determine cause



Questions you can ask to help determine equipment factors include:

- Do records confirm that regular maintenance occurred? Was regular maintenance carried out?
- Was there an equipment failure?
- Was the right tool being used for the task?
- Were all safety guards in place on the machine?
- Was the tool damaged in any way?



Five factors activity



Analyze the evidence

People?

Material?

Task?

Environment?

Equipment?

Incident scenario recap

People?

Material?

Equipment?

Environment?

Task?

- Recent shift change between day shift and night shift.
- 2 workers (Worker 1 = finishing the day shift, Worker 2 = starting the night shift).
- Forklift parked where Worker 1 normally parks it, with the forks lifted and loaded with a pallet of pipe material.
- Worker 2 was recently hired. They were asked to operate the forklift.
- Worker 2 started the equipment and it instantly jerked forward.
- Worker 2 gained control of the machine. At that point, Worker 2 noticed the lifted forks and the load of pipe material.
- Worker 2 left the forklift running and did not engage the emergency parking brake. Worker 2 got off the forklift and walked around to inspect the load.
- The forklift rolled forward and pinned Worker 2 between the forklift load and the post. This resulted in an injury to Worker 2.
- The scene was secured, Worker 2 was taken for medical care, the Ministry was notified, the scene was cleared and the evidence collection began.



Five factors activity

Module seven

Analyze evidence and determine cause

- Were the workers involved competent in the work they were doing?
- Had the workers been adequately trained?
- Was there direct and adequate supervision?
- Could the workers have been tired?
- How is shift change information communicated to incoming shift workers?



- Why were the forks loaded when the forklift was turned off and parked?
- What was the weight of the materials being lifted and/or carried?
- Was the material on the pallets properly secured?



Five factors activity

Module seven
Analyze evidence and determine cause

- Is there a safe work procedure for operating the forklift?
- Why did the forks remain loaded when the forklift was parked?
- Was the proper safe work procedure being used?




- Was housekeeping a contributing factor?
- How did the environment impact the workers' awareness of the loaded forks?
- Was there adequate light?
- Was noise a contributing factor?



Five factors activity

Module seven
Analyze evidence and determine cause



- Did preventative maintenance records verify regular maintenance was carried out?
- Was there a pre-use inspection procedure for the forklift?
- What was the latest date and time on the pre-use inspection?
- Was there an equipment failure?



Determine cause

Module seven
Analyze evidence and determine cause

Determine the DIRECT CAUSE

What produced the actual physical harm?

Usually occurs immediately before an incident.

Examples:

- A worker fell ...
- An object dropped ...
- An object hit ...
- The worker slipped ...
- The tool contacted




Determine causes

Determine cause

Module seven
Analyze evidence and determine cause

Determine the INDIRECT CAUSE

What working conditions set the stage for the incident?

There is often more than one indirect cause

Examples:

- PPE was inadequate
- Equipment was defective
- Materials were stored insecurely
- Improper lifting
- Inadequate ventilation
- Housekeeping was substandard




Determine cause

Module seven

Analyze evidence and determine cause

Determine the ROOT CAUSE

The underlying problem(s) that allowed the substandard act and conditions to exist

An incident can have more than one root cause

Examples:

- Improper material handling
- Substandard maintenance
- Inadequate hazard controls
- Substandard supervision
- Inadequate hazard identification and risk assessment
- Inadequate or unclear instruction



Determine cause

Module seven

Analyze evidence and determine cause

Root causes usually involve gaps in the employer's health and safety system.



- There may be more than one root cause
- To find the root cause, the investigation team can use the '5 why' technique



Determine cause

Module seven

Analyze evidence and determine cause

The 5 Why's technique to determine ROOT CAUSE

What is the problem?

WHY?

WHY?

WHY?

WHY?

WHY?

Determine cause activity

Determine cause

Direct?

Indirect?

Root?



Activity

Module seven
Analyze evidence and determine cause

What was the **direct cause** of the forklift incident?

Worker 2 was pinned between the forklift and the post resulting in injury.

What were some **indirect causes** of the forklift incident?

Some examples:

- Safe work procedure was not followed
- Training for forklift operation was substandard
- Worker training for applicable safe operating procedures was inadequate
- Improperly secure load
- Safe work practice for securing a load was inadequate
- Pre-operation inspection was not conducted prior to use
- Supervision was inadequate

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Determine cause

Module seven
Analyze evidence and determine cause

The 5 Why's technique to determine ROOT CAUSE

What is the problem?

Worker 2 was pinned between the forklift and the post resulting in injury.

WHY? Worker 2 left the forklift to examine the load left on the raised forks.

WHY? The forklift has been left with raised forks and loaded at shift change by Worker 1 (previous operator).

WHY? Worker 1 (previous operator) did not follow the safe operating procedures for forklift operation.

WHY? Worker 1 had not been trained on the safe operation of the forklift.

WHY? Training requirements for the position did not include training on the safe operation of the forklift.

Knowledge check

Module seven
Analyze evidence and determine cause

2. Identify the categories in the five factors model.

☐ A. people	☐ F. task
☐ B. material	☐ G. supervision
☐ C. training	☐ H. maintenance Schedule
☐ D. procedure	☐ I. environment
☐ E. equipment	☐ J. root cause analysis

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Module eight

Complete an investigation report

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Introduction

Module eight
Complete an investigation report

Module eight: Complete an investigation report

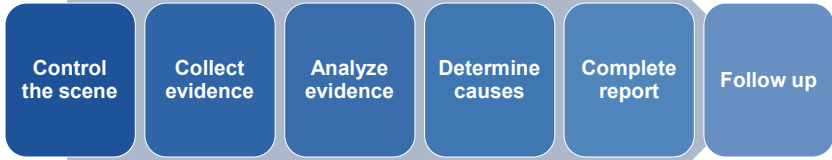
This module will:

- ✓ Determine the requirements of the investigation report.
- ✓ Determine how to develop recommendations for corrective actions.
- ✓ Determine how to implement corrective actions.
- ✓ Review communication methods and how to follow up.



Investigation process

Module eight
Complete an investigation report





Investigation report

Module eight
Complete an investigation report

The goal of the OHC is to provide the employer with clear recommendations that address the identified root cause(s).

Recommendations should:

- Be specific and easy to understand
- Be written in a constructive way
- Address root cause(s) of hazards
- Identify all contributing factors (indirect causes)
- Include a suggested timeline

**** Create recommendations that will prevent re-occurrence.**





Recommendations

Module eight
Complete an investigation report

Recommend corrective action

Short-term recommendations

- Temporarily control the hazard
- Can be implemented immediately to protect workers

Long-term recommendations

- Remove (or control) the root cause
- Address the underlying cause(s) of the substandard act or condition

REMINDER



Recommendations

Module eight
Complete an investigation report

ROOT CAUSE: Training requirements for the position did not include training on the safe operation of the forklift.

Short-term corrective action?

- Assign a trained worker to operate the forklift temporarily until the worker receives training
- Provide the worker with training on the safe operation of the forklift

Long-term corrective action?

- Review and revise the training requirements for the position to include training on the safe operation of the forklift

Develop corrective actions

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Corrective actions activity

Module eight
Complete an investigation report



Develop corrective actions

Short-term?

Long-term?

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Follow-up actions

Module eight
Complete an investigation report

In the event of an incident, the employer is responsible to:

- Take immediate steps to protect the health and safety of anyone at risk
- Take suitable long-term actions as soon as possible to correct the unsafe condition
- Comply with legislation
- Inform the OHC or representative in writing of:
 - the actions that have been or will be taken
 - the reasons for not taking action

Section 3-17(1) of the Regulations, *Inspection of place of employment*

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Follow-up actions

Module eight
Complete an investigation report

The employer has a responsibility to:

- Review investigation report.
- Consider recommendations from the OHC or representative.
- Determine what recommendations to implement.



Section 3-17(1) of the Regulations, *Inspection of place of employment.*

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Follow-up actions

Module eight
Complete an investigation report

The employer and the OHC are required to take additional follow-up action.

1. Inform workers about the incident and the implemented corrective actions.

- Be careful to not disclose any confidential information or personal details
- Use the OHC minutes to communicate:
 - Hazards involved
 - Short-term controls in place
 - Planned long-term controls



Follow-up actions

Module eight
Complete an investigation report

2. Monitor the effectiveness of the corrective actions implemented

- Did the implemented corrective action mitigate the risk posed by the hazard(s) to an acceptable level?
- Is the risk from the original hazard contained?
- Are similar situations in other areas controlled?
- Are new hazards addressed effectively?
- Have workers been informed and trained?
- Is the health and safety system updated for the new situation?
- Are additional controls required?



Knowledge Check

Module eight
Complete an investigation report

1. Short-term corrective actions are:

- a. Designed to correct the root cause.
- b. Implemented immediately to protect workers until a permanent solution can be put in place.
- c. Implemented by the OHC inspectors.
- d. Only last a short time.



Knowledge Check

Module eight
Complete an investigation report

2. Long-term corrective actions are:

- a. Designed to correct the root cause.
- b. Implemented immediately to protect workers until a permanent solution can be put in place.
- c. Implemented by the OHC.
- d. Only used as a last resort.





Module nine

Steps to take in a work refusal

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Introduction

Module nine
Steps to take in a work refusal

Module nine: How to investigate a work refusal

This module will:

- ✓ Determine how to investigate a worker's refusal to do unusually dangerous work.
- ✓ Review the criteria the OHC shall use to determine if a work refusal is valid.
- ✓ Review the six steps a worker shall use when refusing to do work they believe is unusually dangerous.

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Right to refuse

Module nine
Steps to take in a work refusal

Every worker has the right to refuse to perform any specific job or task which they have reasonable grounds to believe is unusually dangerous.

Right to refuse dangerous work

3-31 A worker may refuse to perform any particular act or series of acts at a place of employment if the worker has reasonable grounds to believe that the act or series of acts is unusually dangerous to the worker's health or safety or the health or safety of any other person at the place of employment until:

Section 3-31 of the Act, *Right to refuse dangerous work*.

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Right to refuse

Module nine
Steps to take in a work refusal

Section 3-31 of the Act, *Right to refuse dangerous work*

- Applies only to OHS issues.
- Is the right of an individual, not the right of a group.
- The refusing worker is protected from discriminatory action when exercising the 'right to refuse'.

Section 3-35(f) of the Act, *Discriminatory action prohibited*

(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:

Section 3-1(1)(i) of the Act, *Interpretation of Part*



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Right to refuse

Module nine

Steps to take in a work refusal

- If there is no OHC at the workplace or if the worker or the employer is not satisfied with the decision of the OHC, either may contact the Ministry.
- The worker or the employer may request that an occupational health officer investigate the matter.
- The worker is entitled to refuse the work until an occupational health officer has investigated the matter and advised accordingly.

Section 3-32 of the Act, *Investigation by occupational health officer*



Right to refuse

Module nine

How to investigate a work refusal

Three criteria used to determine if work is unusually dangerous:

A danger that is not normal for the job

A danger that would normally stop work

A situation for which you are not properly trained, equipped or experienced to do the work assigned



Right to refuse

Module nine

Steps to take in a work refusal

The OHC has a legal duty to investigate a worker's refusal to work.

The OHC will investigate, using the **standard investigation procedures**:

- Gather and analyze evidence (physical and documentary)
- Conduct interviews (with the supervisor and the worker)
- Determine causes (direct, indirect, root)
- Complete an investigation report

Section 3-27 (e) of the Act, *Duties of committees*



Right to refuse

Module nine

Steps to take in a work refusal

The Ministry recommends a worker follow **6 steps** when exercising their right to refuse:

1.

The worker **informs their employer/supervisor** that they are refusing work because of a health or safety concern pursuant to section 3-31 of *The Saskatchewan Employment Act*.



Right to refuse

Module nine

Steps to take in a work refusal

2. The worker should **not leave** the worksite without their employer's permission
3. If the worker and supervisor cannot resolve the concern to the worker's satisfaction, they **contact** their workplace occupational health committee (**OHC**).



Right to refuse

Module nine

Steps to take in a work refusal

4. The **OHC investigates** the refusal to determine if there are reasonable grounds to refuse the work.

The OHC co-chairpersons will call a special meeting to investigate the refusal.

- The special meeting follows regular meeting protocols
- The OHC investigates the matter

The OHC decision must be a **unanimous** vote for or against the refusal



Right to refuse

Module nine

Steps to take in a work refusal

5. If the refusal cannot be resolved within the workplace, contact the Ministry.
6. An occupational health officer will investigate the refusal and provide a written decision on the matter.

Anyone affected by the Officer's decision may appeal.

Section 3-53 of the Act, *Appeal of occupational health officer decision*



Reassign the work

Module nine

Steps to take in a work refusal

During the refusal, a supervisor can:

- Reassign the refusing worker
- Request another worker to perform the disputed job **IF** the supervisor advises the other worker in writing of the following three things:
 1. There is an active work refusal and the reasons why.
 2. Why the supervisor believes the replacement worker can do the task safely.
 3. Explain that the replacement worker also has the right to refuse to do the disputed work and what steps to follow.

Section 3-34 of the Act, *Other workers not to be assigned*



Right to refuse

Module nine

Steps to take in a work refusal

A work refusal ends when:

- Steps have been taken to satisfy the worker that the work is no longer unusually dangerous

OR

- The OHC has investigated the matter and advised the worker otherwise

*Section 3-31 (b) of the Act, **Right to refuse dangerous work***

***If the worker is not satisfied with the OHC's decision, they or the employer can enlist the aid of an occupational health officer**

*Section 3-32 of the Act, **Investigation by occupational health officer***