



Occupational Health Committee
Level 1



Housekeeping **Start time: 8:30 am**

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

Session information

Learning modules = 7

Estimated session time: 8:30 am – 4:00 pm

Lunch break: 60 mins


COURSE MATERIALS:
Learner Handbook
Optional: Learner Worksheet
Optional: Presentation Slides

Required:
Paper or notepad
Pen or pencil
Legislation

NOT Required:
X Camera
X Microphone

Troubleshooting audio or video issues:

Leave session and rejoin using same meeting link



Legislation REQUIRED for OHC Level 1 **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**






Housekeeping


Troubleshooting audio or video issues:




LOG
OUT/BACK IN




RE-REGISTER
FOR WORKSHOP
AND JOIN
WEBINAR IN
PROGRESS




CHECK
FIREWALL
SETTINGS ON
YOUR DEVICE




ENSURE YOUR
DEVICE HAS ALL
SYSTEM
UPDATES
COMPLETED




TRY A
DIFFERENT
DEVICE/PHONE/
TABLET



IF YOU CANNOT
HEAR CALL IN
ON YOUR PHONE
FOR AUDIO ONLY



LOG IN
THROUGH YOUR
PHONE FOR
SLIDES



Housekeeping

- Introductions
- Length of workshop
- Breaks
- Question box engagement – knowledge checks
- Quiz (link will be placed in chat box)
- Evaluation (launches after webinar)
- Contact: info@motorsafety.ca



Exam

- Exam
- Open book
- Twenty multiple-choice questions
- A score of 16/20 or higher is required to receive a completion certificate
- Certificates will be distributed through your SkillsPass account.



Learning Objectives

Overview

Upon completion of this course, learners will be able to:

- Navigate, apply and cite occupational health and safety legislation.
- Identify the roles in the Workplace Responsibility System (WRS).
- Understand the legal duties of the Occupational Health Committee (OHC).
- Identify hazards, assess risks and recommend controls.
- Understand the Occupational Health Committee's structure and function.
- Complete Occupational Health Committee inspections and investigations.
- Help resolve workers' concerns and investigate a worker's formal refusal to do dangerous work.




Table of Contents

- Module 1: Legislation
- Module 2: Roles in the Workplace Responsibility System (WRS)
- Module 3: Legal Duties of the OHC
- Module 4: Hazard Identification, Risk Assessment and Controls
- Module 5: OHC Structure and Functions
- Module 6: OHC Inspections and OHC Investigations
- Module 7: Workers' Concerns and Refusals




History


- Saskatchewan set OHS standards for Canada and passed the first *Occupational Health and Safety Act* in 1972.
- Saskatchewan was the first province to protect three rights for workers:



The right to KNOW
what hazards are present in the workplace.




The right to PARTICIPATE
in keeping your workplace healthy and safe.



The right to REFUSE
work you believe to be unusually dangerous to yourself and your co-workers.

WorkSafe Saskatchewan was created from a partnership between the Saskatchewan Workers' Compensation Board and the Ministry of Labour Relations and Workplace Safety (LRWS) in 2002.



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Module 1

Legislation



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Introduction

Module 1
Legislation

Who here has used the Sask Employment Act and OHS Regulations before?

Access OHS Legislation with Ease

Employers/contractors in Saskatchewan are required to provide accessible copies of the Occupational Health and Safety Acts and Regulations for all workers.

Scan to download the Saskatchewan Employment Act & OHS Regulations



Address: 673 Henderson Dr. Regina, SK S4N 6A8
Phone: 306-772-0888
Website: www.worksafesask.ca



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Introduction

Module 1
Legislation

Module 1: Legislation

This module will:

- ✓ Demonstrate how to navigate occupational health and safety (OHS) legislation
- ✓ Differentiate between the Act and the Regulations
- ✓ Demonstrate how to locate and apply information in the legislation
- ✓ Review key legislation for occupational health committees
- ✓ Demonstrate how to cite legislation



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Legislation in the Workplace

Module 1
Legislation

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



- Providing a way to protect the workers.
- Providing guidelines to employers, supervisors, and workers.
- Supporting the Workplace Responsibility System.

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Legislation in the workplace

Module 1
Legislation

The Saskatchewan health and safety legislation consists of **the Act and the Regulations**.

- Applicable to **provincially** regulated workplaces.
- Some workplaces are federally regulated and follow the *Canada Labour Code*.
- Some workplaces may have additional legislation applicable to them, such as mines, which are governed by the *Mines Regulations, 2018*.

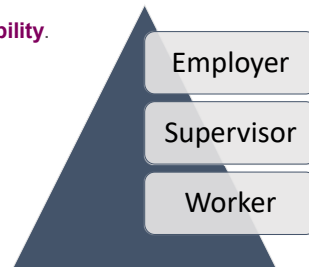


Legislation in the Workplace

Module 1
Legislation

Legislation refers to three **levels of responsibility**.

- Employer level
- Supervisor level
- Worker level



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Citing Legislation

Module 1
Legislation

Citing legislation provides a standardized method to **direct** another person to **a specific section in legislation**.

Legislation is cited in (but not limited to):

- Recommendations
- Safe work practices
- Inspection checklists
- Notice of contraventions
- Policies



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Citing Legislation

Module 1
Legislation

When citing legislation, you must include **three pieces of information**.

1. The section number
2. The book
3. The section title


*The
Saskatchewan
Employment
Act*

General duties of employer

3-8 Every employer shall:

(a) ensure, insofar as is reasonably practicable, the health, safety and welfare at work of all of the employer's workers;

Section 3-8 of the Act, General duties of employer

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Citing Legislation

Module 1
Legislation

When citing legislation, you must include **three pieces of information**.

1. The section number
2. The book
3. The section title


*The
Occupational Health
and Safety
Regulations, 2020*

Minutes

4-5(1) A committee shall:

(a) record minutes of each meeting in a format provided by the ministry and keep the minutes on file with the committee;

Section 4-5(1) of the Regulations, Minutes

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The Act

Module 1
Legislation

The Saskatchewan Employment Act:

- Consolidates 12 acts.
- Part III of the Act:
 - Sets out general duties.
 - Establishes a framework for OHS duties and responsibilities.
 - States enforcement and penalties for non-compliance.
- Part IV – Appeals
- Part V – Radiation Health & Safety

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The Regulations

Module 1
Legislation

The Occupational Health and Safety Regulations, 2020:

- State minimum standards that must be met.
- Provide additional instruction on how to meet your duties and responsibilities set out in the Act.
- Include additional sections of legislation that apply to specific industries.

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Take a Closer Look Module 1
Legislation

The Saskatchewan Employment Act *The Occupational Health and Safety Regulations, 2020*

Key to Navigating Legislation Module 1
Legislation

| <i>The Saskatchewan Employment Act</i> | <i>The Occupational Health and Safety Regulations, 2020</i> |
|---|---|
| Framework | Detailed |
| Sets out general duties and responsibilities | Supporting instruction |
| Part III (IV, V) | Entire book |
| TOC, 14 Divisions | TOC, 34 Parts, Appendix |
| Sections organized in numerical order (3-8, 3-9,) | |
| Preliminary Matters for Part | Preliminary Matters |
| Use the Table of Contents | |

Key Definitions Module 1
Legislation

Competent is defined in Section 3-1(1)(e) of the Act, *Interpretation of Part* as:

Possessing **knowledge, experience and training** to perform a specific duty.

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Key Definitions Module 1
Legislation

Train is defined in Section 3-1(1)(ff) of the Act, *Interpretation of Part* as:



To give information and explanation to a worker **and require practical demonstration** that the worker has acquired knowledge or skill related to the subject matter.

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Key Definitions Module 1
Legislation

Supervisor is defined in Section 3-1(1)(dd) of the Act, *Interpretation of Part* as:

An individual who is authorized by an employer to **oversee or direct** the work of the employer's workers.






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Key Definitions Module 1
Legislation

Worker is defined in Section 3-1(1)(gg) of the Act, *Interpretation of Part* as:

An individual including a supervisor, who is engaged in the service of an employer.

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How the Act and the Regulations Work Together Module 1
Legislation

How do *The Saskatchewan Employment Act* and *The Occupational Health and Safety Regulations, 2020* work **together**?

The Saskatchewan Employment Act




The Occupational Health and Safety Regulations, 2020




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How the Act and the Regulations Work Together Module 1
Legislation

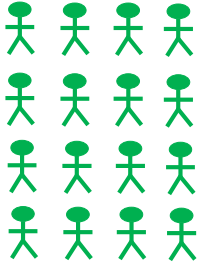
Meet Bob




Bob is the employer of an autobody shop



Bob has 16 employees



Does Bob need an occupational health and safety program for his business?



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Module 1
Legislation

How the Act and the Regulations Work Together

The Saskatchewan Employment Act


TABLE OF CONTENTS

DIVISION 3
Duties

3-20 Duty to provide occupational health and safety programs

Duty to provide occupational health and safety programs

3-20(1) An employer at a prescribed place of employment shall establish and maintain an occupational health and safety program or a prescribed part of an occupational health and safety program in accordance with the regulations made pursuant to this Part.



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Module 1
Legislation

How the Act and the Regulations Work Together

The Occupational Health and Safety Regulations, 2020

Table of Contents

PART 3
General Duties


3-11 Occupational health and 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:

↓

(2) The places of employment set out in Table 7 of the Appendix with 10 or more workers are prescribed for the purposes of section 3-20 of the Act.



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Module 1
Legislation

How the Act and the Regulations Work Together

Bob is the employer of an **autobody shop**





TABLE 7
[Subsections 3-11(2) and 4-8(1)]
Prescribed Places of Employment

1. Types of places of employment:
 - (a) hospitals, nursing homes and home care;
 - (b) metal foundries and mills; and
 - (c) mines.
2. Places of employment at which the following types of work are performed:
 - (a) aerial crop spraying, operation of helicopters, water bombing;
 - (b) **autobody** and automotive paint repairing, bumper electroplating, auto rust proofing, auto glass installation, auto vinyl roofing, fibreglassing boats and autos;
 - (c) building construction;
 - (d) camp catering;
 - (e) farming and ranching;
 - (f) forestry work other than pulp and paper production;
 - (g) forwarding and warehousing as a business;
 - (h) metal manufacturing and machining, marble works, concrete block and ready mix manufacturing;
 - (i) oilwell servicing;
 - (j) oil and gas drilling, well servicing with a rig, water well drilling;
 - (k) processing meat, poultry and fish;
 - (l) road construction and earthwork, urban sewer and water construction, tunnelling;
 - (m) trucking;
 - (n) wholesale baking, dairy products, soft drinks and food preparation and packaging.



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Module 1
Legislation

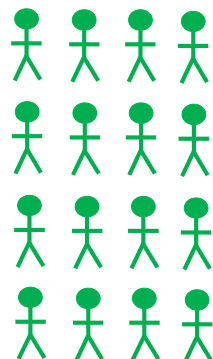
How the Act and the Regulations Work Together


(2) The places of employment set out in Table 7 of the Appendix with 10 or more workers are prescribed for the purposes of section 3-20 of the Act.

Yes!

Bob's autobody shop requires an occupational health and safety program.

Bob has 16 employees





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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:

(a) a statement of the employer's policy with respect to the protection and maintenance of the health and safety of the workers;

(b) the identification of existing and potential risks to the health or safety of workers at the place of employment and the measures, including procedures to respond to an emergency, that will be taken to reduce, eliminate or control those risks;

(c) the identification of internal and external resources, including personnel and equipment, that may be required to respond to an emergency;

(d) a statement of the responsibilities of the employer, the supervisors and the workers;

(e) a schedule for the regular inspection of the place of employment and of work processes and procedures;

(f) a plan for the control of any biological or chemical substances handled, used, stored, produced or disposed of at the place of employment and, if appropriate, the monitoring of the work environment;

(g) a plan for training workers and supervisors in safe work practices and procedures, including any procedures, plans, policies or programs that the employer is required to develop pursuant to the Act or any regulations made pursuant to the Act that apply to the work of the workers and supervisors;

(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

(j) a procedure to review and, if necessary, revise the occupational health and safety program at specified intervals that are not greater than 3 years and whenever there is a change of circumstances that may affect the health or safety of workers.

Module 1
Legislation

An occupational health and safety program must include these 10 items (at minimum).

Module 1
Legislation

Knowledge Check

1. Where would you find information about how often an OHC must meet?
 Select the proper format to use when citing the legislation.

Frequency of meetings
4-4(1) Subject to subsection (2), a committee shall:

(a) hold its first meeting within 2 weeks after being established;

(b) hold 3 subsequent meetings at intervals not exceeding 1 month; and

(c) after that, hold regular meetings at intervals not exceeding 3 months.

a. *Frequency of meetings*, the Regulations, Section 4-4

b. Section 4-4 of the Regulations, *Frequency of meetings*

c. The Regulations, Section 4-4, *Frequency of meetings*

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Module 1
Legislation

Knowledge Check

Using the Table of Contents in the **Occupational Health and Safety Regulations, 2020** where would you find information on:

EXAMPLE

General duties of employers

a. Measurement of noise levels

b. Fire safety plans

c. Committee meeting frequency

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Module 2
Roles in the Workplace Responsibility System (WRS)

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Introduction


Module 2
Roles in the WRS

Module 2: Roles in the Workplace Responsibility System (WRS)

This module will:

- ✓ Define the WRS, its goal and philosophy
- ✓ Explain due diligence and the principles of due diligence
- ✓ Review workers' three rights
- ✓ Explain the critical role of committees in the WRS
- ✓ List the responsibilities of employers, supervisors, workers, prime contractors, suppliers, owners and self-employed persons
- ✓ Explain the role of the ministry

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Workplace Responsibility System (WRS)


Module 2
Roles in the WRS



- Workplace responsibility system (WRS).
- The WRS is an underlying philosophy, not a legislated responsibility.

Every person in the workplace, to the degree that they have the authority and ability to do so, is responsible for maintaining a healthy and safe workplace.

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Due diligence


Module 2
Roles in the WRS

Due diligence: means that employers shall take all reasonable precautions, under the circumstances, **to prevent harm to workers, property and the environment, and to comply with legislation.**

- Activities to prove due diligence must be documented in writing.
- Four principles are used to assess if due diligence has been met.



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Due diligence principles

Module 2
Roles in the WRS

- 1 General duties
- 2 Regulatory compliance
- 3 Reasonably practicable
- 4 Proactive

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Due diligence

Module 2
Roles in the WRS


Think about:

Foreseeable
Could a reasonable person have foreseen that something could go wrong?

Preventable
Was there an opportunity to prevent something from going wrong? If so, was an effort made?

Severity of the hazard
How serious could the consequences have been?

Control
Who was in the best position to prevent what went wrong?

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Due diligence

Module 2
Roles in the WRS

The OHC can help the employer show due diligence.


Examples include but are not limited to:

- OHC meeting minutes
- OHC workplace inspections including any corrective actions taken
- OHC review of emergency response drills
- OHC Incident Investigation reports


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Three rights of workers

Module 2
Roles in the WRS




Saskatchewan was the first province to protect **three rights** in occupational health and safety legislation for workers.

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Three rights of workers

Module 2
Roles in the WRS


The right to know about hazards in the workplace and how to control them



Workers should know:

- Any information that may affect the health and safety of any person
- Information to identify and control any existing or potential hazards
- The processes, procedures, biological substances and chemical substances that are at a place of employment

Section 3-16 of the Act, Duty to provide information
Section 3-4 of the Regulations, Duty of employer or contractor to provide information

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Module 2

Roles in the WRS

Three rights of workers

The right to participate in occupational health and safety in the workplace



Participation examples:

- Assisting with OHC activities
- Serving as an OHC member
- Seeking to establish an OHC
- Participating in hazard identification and control
- Working in compliance with legislation
- Seeking the enforcement of legislation

Section 3-22 of the Act, *Establishment of committees*
 Section 3-24 of the Act, *Designation of representatives*
 Section 3-35 of the Act, *Discriminatory action prohibited*

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Module 2

Roles in the WRS

Three rights of workers

Workers have the right to refuse unusually dangerous work.



- If a worker believes the work is unusually dangerous to their health and safety or to the health and safety of another person, they can exercise their right to refuse.

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

They can refuse until:

- They are satisfied the work is safe; or
- Until the OHC has investigated and advised otherwise.

*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*

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Module 2

Roles in the WRS

Legislated duties of the employer

The employer has **the highest level of authority** in the workplace and therefore they have **the highest level of responsibility**.


General duties of employer

3-8 Every employer shall:

- ensure, insofar as is reasonably practicable, the health, safety and welfare at work of all of the employer's workers;
- consult and cooperate in a timely manner with any occupational health committee or the occupational health and safety representative at the place of employment for the purpose of resolving concerns on matters of health, safety and welfare at work;
- make a reasonable attempt to resolve, in a timely manner, concerns

Section 3-8 (a-i) of the Act, *General duties of employer*

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Module 2


Roles in the WRS

Legislated duties of the employer

An employer is expected to:

1. Provide a healthy and safe workplace
2. Consult and co-operate with the OHC or representative
3. Consider and resolve health and safety concerns
4. Ensure workers are not exposed to harassment
5. Ensure workers are not exposed to violence
6. Co-operate with any other person exercising their legislated duties
7. Ensure workers are trained
8. Ensure workers are competently supervised
9. Retain records of meetings with OHS representatives
10. Know and comply with legislation

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Legislated duties of the supervisor

Module 2
Roles in the WRS

A supervisor is expected to:

1. Ensure workers under their direction:
 - Are working safely
 - Know and comply with legislation
 - Are not exposed to harassment
 - Are not exposed to violence
2. Co-operate with any other person exercising their legislated duties
3. Know and comply with legislation

Section 3-9 (a-e) of the Act, *General duties of supervisors*

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Legislated duties of workers

Module 2
Roles in the WRS

A worker is expected to:

1. Protect their own health and safety and ensure their own actions or omissions do not impact the health and safety of others.
2. Refrain from causing or participating in the harassment of another.
3. Refrain from causing or participating in any violent act towards another.
4. Co-operate with any other person exercising their legislated duties.
5. Know and comply with legislation.

Section 3-10 (a-d) of the Act, *General duties of workers*

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Legislated duties of others

Module 2
Roles in the WRS

There may be additional terms and parties employed at the worksite who have legislated duties.

For example:

- Self-employed persons
Section 3-11 of the Act, *General duties of self-employed persons*
- Contractors
Section 3-12 of the Act, *General duties of contractors*
- Prime contractors
Section 3-13 of the Act, *General duties of prime contractors at certain multi-employer worksites*
- Owners
Section 3-14 of the Act, *General duties of owners*
- Suppliers
Section 3-15 of the Act, *General duties of suppliers*

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The role of the Ministry

Module 2
Roles in the WRS

The Ministry of Labour Relations and Workplace Safety (LRWS) encourages healthy, safe and productive workplaces by setting, promoting and enforcing employment standards and occupational health and safety standards.

Anyone can contact the Ministry of Labour Relations and Workplace Safety for assistance.

Call: 1-800-567-SAFE (7233)

Email: ohs.general@gov.sk.ca




Module 2

Roles in the WRS

The role of the OHC

The OHC:

- Helps to identify hazards, assess risk and recommend controls.
- Cannot assume the legal duties of employers, supervisors or workers.
- Monitors the WRS; the OHC is not the WRS itself.



The employer has the duty to consult and co-operate with the OHC.

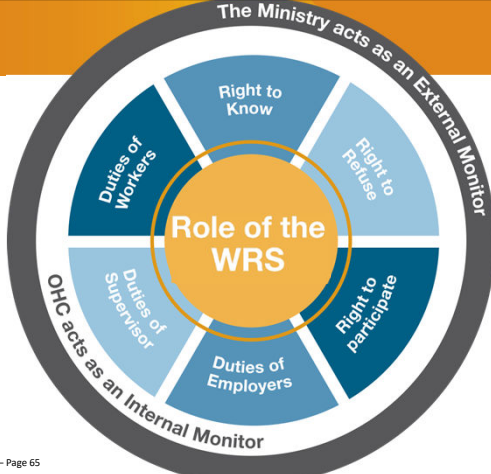
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Module 2

Roles in the WRS

The WRS



This visual demonstrates how the different parts of the WRS work together.

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Module 2

Roles in the WRS


Knowledge Check

1. In practicing due diligence, there are several things to consider. From the list below, check all the considerations to demonstrate due diligence.

- Foreseeable**
Could a reasonable person have foreseen that something could go wrong?
- Reactive**
Was a control implemented in response to a hazard?
- Severity of the hazard**
How serious could the consequence of a hazard be?
- Preventable**
Was there an opportunity to prevent something from going wrong?
If so, was an effort made?
- Control**
Who was in the best position to prevent what went wrong?

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Module 3

Legal duties of the OHC


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Introduction **Module 3**
Legal duties of the OHC

Module 3: Legal duties of the OHC

This module will:


- ✓ List and explain the legal duties of the OHC
- ✓ Review how to apply the legal duties of the OHC
- ✓ Explain how the employer consults with the OHC
- ✓ Review OHC's role to advise and recommend
- ✓ Review the definition of discriminatory action

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Introduction **Module 3**
Legal Duties of the OHC

Are there any challenges with the way your
OHC/rep functions at your business?

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Employer co-operation **Module 3**
Legal duties of the OHC

Employers have a duty to **consult and co-operate** with the OHC.

General duties of employer
3-8 Every employer shall:

- (a) ensure, insofar as is reasonably practicable, the health, safety and welfare at work of all of the employer's workers;
- (b) **consult and cooperate** in a timely manner with any occupational health committee or the occupational health and safety representative at the place of employment for the purpose of resolving concerns on matters of health, safety and welfare at work;

The ministry interprets 'consultation' to mean **the employer shall consider, in good faith, the views and opinions of the OHC.**

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Legislated duties of the OHC **Module 3**
Legal duties of the OHC

Section 3-27 of the Act, *Duties of committees*

Participate in the identification and control of hazards

Co-operate with established health and safety services


Establish, promote, and recommend the delivery of programs

Maintain records of OHC activities

Investigate a worker's work refusal

Receive and consider health and safety matters of workers

Other duties specified in legislation

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Module 3
Legal duties of the OHC


Legislated duties of the OHC

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

Participate in the identification and control of hazards

- Help the employer identify hazards and potential hazards in the workplace.
- Recommend corrective action to the employer to control the hazard.

Committees are NOT responsible for controlling workplace hazards. Committees recommend corrective actions to the employer.



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Module 3
Legal duties of the OHC


Legislated duties of the OHC

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

Co-operate with established health and safety services

Examples of occupational health and safety services people that the committee co-operates with include:

- Occupational health officer
- Occupational hygienist
- Internal safety advisor
- Organizational safety department officer



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Module 3
Legal duties of the OHC


Legislated duties of the OHC

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

Establish, promote, and recommend the delivery of programs

The employer consults with the OHC on items such as:

- Safety programs, practices, policies and procedures
- Harassment policies
- Violence prevention plans
- Exposure to infectious substances
- Noise-level exposures



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Module 3
Legal duties of the OHC

Legislated duties of the OHC


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

Maintain records of OHC activities

- Take minutes of OHC meetings
Section 4-5 of the Regulations, Minutes
- Record OHC inspections
Section 3-17 of the Regulations, Inspection of place of employment

Some examples of records that the employer must make available for the OHC to review:

- Noise-exposure records
Section 8-6 of the Regulations, Hearing conservation plan
- Measurements of chemical or biological substance exposure
Section 21-1 of the Regulations, General duties of employers
- Records of surfaces that contain asbestos
Section 23-5 of the Regulations, Identification of asbestos-containing materials



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Module 3
Legal duties of the OHC


Legislated duties of the OHC

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

Investigate a worker's work refusal

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

The OHC must investigate a worker's refusal to work.

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Module 3
Legal duties of the OHC

Legislated duties of the OHC


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

Receive and consider health and safety matters of workers

Have conversations with workers and supervisors

- Be curious – ask questions
- Be visible – make yourself known as an OHC member

*Section 3-25 of the Act, *Duty to post names**

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Module 3
Legal duties of the OHC

Legislated duties of the OHC

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

Other duties specified in legislation

- Hold meetings to discuss concerns
*Section 4-4 of the Regulations, *Frequency of meetings**
- Conduct inspections
*Section 3-17 of the Regulations, *Inspection of place of employment**
- Conduct investigations
*Section 3-18 of the Regulations, *Investigation of certain accidents**
*Section 3-20 of the Regulations, *Investigation of dangerous occurrences**
*Section 21-10 of the Regulations, *Report of worker's exposure**

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Module 3
Legal duties of the OHC

Legislated duties of the OHC


The OHC has no legal liability.

The role of the OHC is to **advise** the employer.

OHCs are essential for:

- **Bringing** health and safety concerns into the open
- **Focusing** attention on them
- **Recommending** ways to correct and resolve them

An OHC's role is to **give advice** and **make recommendations** for correcting hazards.

 Learner Handbook – Page 73

Legislated duties of OHS representatives

Module 3
Legal duties of the OHC

Section 3-28 of the Act, *Duties of representatives*

The duties of the OHS representative are done in consultation with the employer.

Learner Handbook – Page 73

Discriminatory action

Module 3
Legal duties of the OHC

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 legislation for full details.

Learner Handbook – Page 74

Discriminatory action

Module 3
Legal duties of the OHC

Workers and OHC members who act in compliance with legislation are **protected from discriminatory action** under the Act.

An employer **CANNOT** discriminate against a worker because the worker:

- Acts in compliance with legislation
- Seeks enforcement of the legislation
- Helps with OHC activities
- Serves as an OHC member

* This is a partial list. For the full list, please refer to:
Section 3-35 of the Act, Discriminatory action prohibited

Learner Handbook – Page 74

Module 4

Hazard identification, risk assessment and controls

Introduction **Module 4**
Hazard Identification, Risk Assessment and Controls

Module 4: Hazard identification, risk assessment, and controls

This module will:


- ✓ Explain how to identify hazards, assess risks and recommend controls
- ✓ Review the energy wheel model of hazard identification
- ✓ Review the traditional model of hazard identification (health hazard or safety hazard)
- ✓ Explain the hierarchy of controls
- ✓ Demonstrate how to write a recommendation for a control

 Work to live.

Learner Handbook – Page 77

Introduction **Module four**
Hazard Identification, Risk Assessment, and Controls

Do your businesses perform risk assessments and JHAs?

 Work to live.


Introduction **Module 4**
Hazard Identification, Risk Assessment and Controls

One of the most essential functions of the OHC is helping the employer to **identify, assess the risk and make recommendations to control hazards.**

Duties of committees
3-27(1) The duties of an occupational health committee are the following:

(a) to participate in the identification and control of health and safety hazards in or at the place of employment;

Section 3-27(1)(a) of the Act, *Duties of committees*

 Work to live.

Learner Handbook – Page 77

Process **Module 4**
Hazard Identification, Risk Assessment and Controls



Identify

Identify obvious workplace hazards. Be on alert for any potential hazards.



Assess

Assess the risk of hazards and set priorities.



Recommend

Select the best controls to recommend to the employer following the hierarchy of controls.


 Work to live.

Learner Handbook – Page 78

Identify Module 4
Hazard Identification, Risk Assessment and Controls


Hazards can cause **acute** or **chronic** medical conditions.

- An **acute** condition is severe and immediate.
- A **chronic** condition develops over time.



The onset of symptoms can be **immediate** or **latent**.

A **latency period** is the time between being exposed to something that can cause a medical condition and having symptoms.

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Learner Handbook – Page 79

Identify Module 4
Hazard Identification, Risk Assessment and Controls


There are two types of hazards in a workplace:

1. Health hazards
2. Safety hazards

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

Five types:

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

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Learner Handbook – Page 79

Identify Module 4
Hazard Identification, Risk Assessment and Controls

Biological hazards are bacteria and viruses that are transmitted by insects, birds, animals, plants, fungi and humans.

Biological hazards can **result in infections and illness**.



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Learner Handbook – Page 79

Identify Module 4
Hazard Identification, Risk Assessment and Controls

Chemicals can be in various forms and become hazardous when they:

- Are inhaled
- Are ingested
- Are absorbed (through the skin, eyes, or mucous membranes)
- Exceed exposure limits
- Are incorrectly labeled
- Are spilled or released
- Are mixed with other chemicals
- Are not handled, decanted, disposed of or transported properly



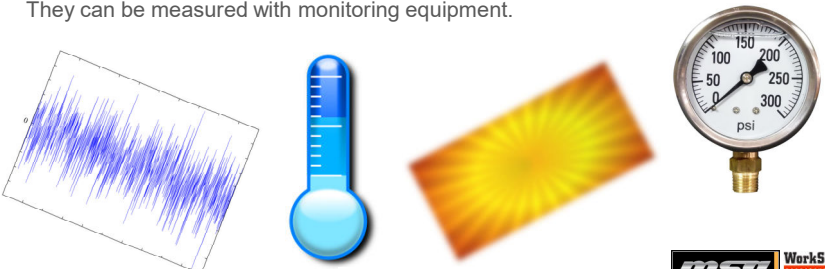
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Identify **Module 4**
Hazard Identification, Risk Assessment and Controls

Physical agents can be detected with human senses (vision, hearing, touch, taste and smell).

They can be measured with monitoring equipment.

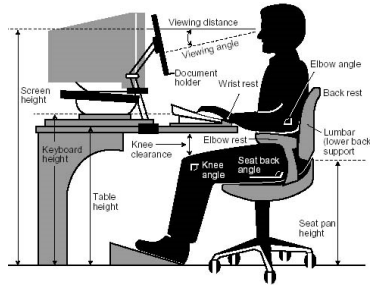


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Learner Handbook – Page 80

Identify **Module 4**
Hazard Identification, Risk Assessment and Controls

Ergonomics is the study of people in their working environment.



Proper ergonomics will **maximize** efficiency, quality and quantity of work while **minimizing** work-related musculoskeletal disorders, as well as fatigue and overexertion.

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Learner Handbook – Page 80

Identify **Module 4**
Hazard Identification, Risk Assessment and Controls

Psychosocial hazards impact a worker's mental and physical health.

Psychosocial hazards include (but are not limited to):

- Workplace stress
- Harassment
- Violence



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Learner Handbook – Page 80

Identify **Module 4**
Hazard Identification, Risk Assessment and Controls

A **safety hazard** is anything that could cause a physical injury.

Some common safety hazards are:

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

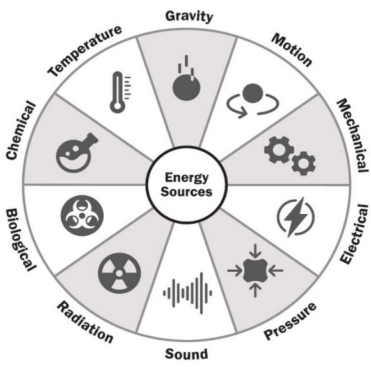


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Module 4
Hazard Identification, Risk Assessment and Controls

Identify



The **energy wheel** provides a visual representation for 10 energy types.

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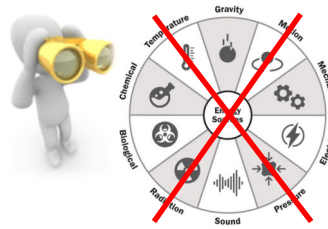
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Module 4
Hazard Identification, Risk Assessment and Controls

Identify

Two hazards relating to **people and their interactions** are not found on the energy wheel.

1. Ergonomic hazards
2. Psychosocial hazards



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Learner Handbook – Page 84


Module 4
Hazard Identification, Risk Assessment and Controls

Identify

Ergonomic hazards

Ergonomics:

- is the study of people in their working environment.
- aligns the job requirement and the work environment with the worker.



Common problems include:

- Repetitive strain injury
- Cumulative trauma disorder
- Musculoskeletal injury (MSI)
- Back injury
- Hand-arm vibration syndrome

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Learner Handbook – Page 84

Module 4
Hazard Identification, Risk Assessment and Controls

Identify

A musculoskeletal injury is an injury or disorder of the muscles, tendons, ligaments, nerves, joints, bones or supporting vasculature that may be caused or aggravated by:

- Repetitive motions
- Forceful exertions
- Vibration
- Mechanical compression
- Sustained or awkward postures
- Limitations on motion or action
- Other ergonomic stressors

Musculoskeletal injuries
6-18(1) In this section, “musculoskeletal injury” means an injury or disorder of the muscles, tendons, ligaments, nerves, joints, bones or supporting vasculature that may be caused or aggravated by any of the following:

Section 6-18 of the Regulations, *Musculoskeletal injuries*

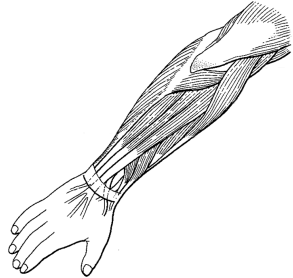
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Identify **Module 4**
Hazard Identification, Risk Assessment and Controls

Musculoskeletal disorders include three types of injuries:

1. Muscle injury
2. Tendon injury
3. Nerve injury



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Learner Handbook – Page 85

Identify **Module 4**
Hazard Identification, Risk Assessment and Controls

Workplace design
The employer shall evaluate the workplace to provide optimal ergonomics.

Evaluate:

- Workstation design
- Workflow of materials
- Pace of work
- Tools
- Equipment

Tools and equipment
The employer must provide workers with suitable tools and equipment for the work being performed.

Section 6-15 of the Regulations, *Lifting and handling loads*
Section 6-16 of the Regulations, *Standing*
Section 6-17 of the Regulations, *Sitting*
Section 6-20 of the Regulations, *Visually demanding tasks*

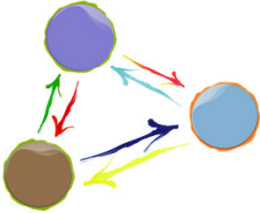
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Identify **Module 4**
Hazard Identification, Risk Assessment and Controls

Psychosocial hazards involve human **behaviour** and human **interaction**.

Psychosocial hazards include:

- Workplace stress
- Harassment
- Violence
- Shift work



The national standard CSA Z1003 identifies 13 factors of psychological health and safety in the workplace.

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Learner Handbook – Page 86

Identify **Module 4**
Hazard Identification, Risk Assessment and Controls

Harassment

Workplace harassment is any inappropriate conduct, comment, display, action or gesture that could adversely affect the health and well-being of a worker.

Employers, supervisors, and workers have legislated duties to ensure harassment is not permitted in the workplace.

Section 3-1(1)(l) of the Act, *Interpretation of part*
Section 3-8(d) of the Act, *General duties of employer*
Section 3-9(c) of the Act, *General duties of supervisors*
Section 3-10(b) of the Act, *General duties of workers*

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Learner Handbook – Page 86

Module 4
Hazard Identification, Risk Assessment and Controls

Identify

What must employers do to prevent workplace harassment?

Employers must:

- Develop and implement a harassment prevention policy to protect workers
- Consult with the OHC to develop the harassment policy
- Investigate all workplace harassment incidents


Duty re policy on harassment and duty to investigate
3-21.1(1) An employer shall develop and implement a written policy to prevent harassment after consultation with:

- the occupational health committee;
- the occupational health and safety representative; or
- the workers, if there is no occupational health committee and no occupational health and safety representative.

(2) A policy statement required pursuant to subsection (1) must include any prescribed provisions.

(3) An employer shall ensure that an investigation is conducted into any incident of workplace harassment.

Section 3-21.1 of the Act, *Duty re policy on harassment and duty to investigate*
Section 3-25(1)(a-j) of the Regulations, *Harassment*



Module 4
Hazard Identification, Risk Assessment and Controls

Identify


Violence

Violence is **attempted, threatened or actual conduct** by a person that causes or could cause harm to a worker.

Workplace violence and harassment are much larger issues than commonly thought and can be committed by persons within the workplace **or** persons from outside of the workplace (i.e., customers, the public).

Violence
3-26(1) In this section, "violence" means the attempted, threatened or actual conduct of a person that causes or is likely to cause injury, and includes any threatening statement or behaviour that gives a worker reasonable cause to believe that the worker is at risk of injury.

Section 3-26 of the Regulations, *Violence*



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Module 4
Hazard Identification, Risk Assessment and Controls

Identify

Violence can include:

| | |
|---|--|
| <p>Threatening behaviours</p> <ul style="list-style-type: none"> • Shaking fists • Destroying property • Throwing objects <p>Physical attack</p> <ul style="list-style-type: none"> • Hitting • Shoving • Kicking • Intentionally restricting a travel way | <p>Verbal or written threat</p> <ul style="list-style-type: none"> • An expression of an intent to inflict harm <p>Verbal abuse</p> <ul style="list-style-type: none"> • Swearing • Insults • Condescending language |
|---|--|

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Module 4
Hazard Identification, Risk Assessment and Controls


Identify

Recent amendments to the Act (effective May 2024)

All workplaces are required to:

- Have a **violence policy** in place by May 17, 2024
 - This violence policy will also apply to students, volunteers, and contract workers
- Have a **violence prevention plan**
- **Investigate** all incidents of violence in the workplace

For specific policy requirements, please see:
Section 3-21 of the Act, *Duty re policy statement on violence and prevention plan.*



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Module 4

Hazard Identification, Risk Assessment and Controls

Identify

Shift work

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** increasing the risk of incidents and injuries.



Section 6-19 of the Regulations, *Shift work and constant effort and exertion.*

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Module 4

Hazard Identification, Risk Assessment and Controls

Consider

As an OHC member, who would you ask or where would you look for information about the hazards you identified?

- Workers and supervisors
- Manufacturer's information (such as SDSs and user guides)
- Industry standards (CSA, ANSI, for example) and best practices
- Legislation and the Ministry of Labour Relations and Workplace Safety
- Other workplaces
- Internet resources (CCOHS, NIOSH, etc.)



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Learner Handbook – Page 91

Module 4

Hazard Identification, Risk Assessment and Controls


Assess Risk

Assess risk

After identifying the hazards in our workplace, assess the **risk** that each hazard poses.

Use a **risk matrix** to calculate the level of risk for each hazard.

Risk is the chance that a hazard will cause harm.



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Learner Handbook – Page 92

Module 4

Hazard Identification, Risk Assessment and Controls


Assess Risk

Likelihood and Consequences


Likelihood: What are the chances an uncontrolled hazard will cause harm?
Consequences: If something goes wrong, how bad will it be?

Think about:

- Has this problem happened before?
- How many workers could be hurt?
- How often are workers exposed to the hazard?
- How quickly could a dangerous situation arise?
- How quickly could things change?



Prioritize hazards according to risk



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Module 4

Hazard Identification, Risk Assessment and Controls

Assess Risk

RISK ASSESSMENT MATRIX

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

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)

Learner Handbook – Page 94

Module 4

Hazard Identification, Risk Assessment and Controls

Control

Controls

A control removes the hazard or reduces its risk.

- All workplace hazards must be controlled.
- Saskatchewan occupational health and safety legislation states specific controls for some hazards.

The goal is to reduce the risk the hazard poses to as low as possible.




Learner Handbook – Page 98

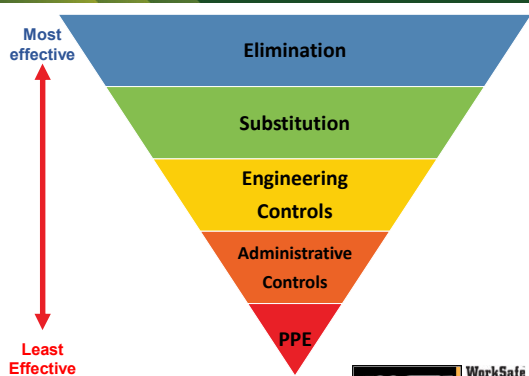
Module 4

Hazard Identification, Risk Assessment and Controls

Control

Hierarchy of controls

A step-by-step approach to eliminating or reducing workplace hazards.



Learner Handbook – Page 99


Control Module 4
Hazard Identification, Risk Assessment and Controls

Elimination

- **Removes** the hazard from the workplace.
- Is the preferred way to control a hazard and should be used whenever possible.

Ask: "Is this item / substance / material / task necessary?"

If the answer is no – **eliminate it!**

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Learner Handbook – Page 99


Control Module 4
Hazard Identification, Risk Assessment and Controls

Substitution

- **Replaces** something with another thing.

Ask: "Is there a better or safer item / substance / material / task that can be used?"

If the answer is yes – **substitute it!**

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Learner Handbook – Page 99


Control Module 4
Hazard Identification, Risk Assessment and Controls

Engineering controls

- Engineering controls are **physical changes** to work areas, processes, structures, fixtures or equipment that effectively minimize the risk to workers.
- Engineering controls can reduce risk by preventing or limiting worker access or exposure to a hazard.

Ask: "Can we separate the worker from the hazard?"

If the answer is yes – **engineer it!**

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Learner Handbook – Page 100


Control Module 4
Hazard Identification, Risk Assessment and Controls

Administrative controls

- Administrative controls are the rules, practices, policies, procedures and processes that **direct how work is done.**


Ask: "Is there a policy, procedure, training method or schedule that will reduce the risk?"

If the answer is yes – **create the paperwork!**

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Learner Handbook – Page 100

Control Module 4
Hazard Identification, Risk Assessment and Controls




Personal protective equipment

Personal protective equipment (PPE) is the **final** control in the hierarchy and **should be used only when engineering and administrative controls don't adequately reduce the risk.**

PPE refers to anything workers wear to help protect them from a hazard, but it can **only** do so if the PPE is worn and used correctly.

Personal protective equipment should never be the only method used to reduce risk.

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Control Module 4
Hazard Identification, Risk Assessment and Controls

Effective controls

An effective control must:

1. Prevent the hazard from causing harm
2. Not create a new hazard
3. Not create a hazard to the environment or the public



More than one control may be needed to effectively control a hazard.

Learner Handbook – Page 102



Control Module 4
Hazard Identification, Risk Assessment and Controls


Follow up

- The **OHC** has a duty to recommend controls to the employer.
- The **employer** is responsible for selecting and implementing controls.
- The **employer** and the **OHC** have a duty to monitor and follow up on the effectiveness of implemented controls.

Ask:


- Did the employer implement the recommended control?
- Did the employer do what they said they were going to do?
- If not, why not?
- Are the implemented controls effective?
- Does more need to be done?

Learner Handbook – Page 104



Review Module 4
Hazard Identification, Risk Assessment and Controls


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Review **Module 4**
Hazard Identification, Risk Assessment and Controls

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| Hazard | Likelihood (1 to 5) | Consequence (1 to 5) | Risk Rating (likelihood x consequence) | Prioritize (the hazards according to Risk Rating) |
|---|---------------------|----------------------|--|---|
| Safety hazard: Working under a hoisted vehicle | | | | |
| Safety hazard: Tripping hazard - hose | | | | |
| Health hazard: Lifting material (tire) | | | | |
| Health hazard: Exposure to exhaust from running vehicle | | | | |

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Learner Handbook – Page 107

Review **Module 4**
Hazard Identification, Risk Assessment and Controls

Hazard: Working under a hoisted vehicle

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| | |
|--------------------------------|---|
| Elimination | Eliminate the action of hoisting the vehicle to change the tire |
| Substitution | Use a jack to lift the vehicle |
| Engineering Controls | Not applicable |
| Administrative Controls | Develop and implement a safe work procedure for diagnosing vehicles in the shop |
| PPE | Not applicable |

 Work to live.


Learner Handbook – Page 108

Review **Module 4**
Hazard Identification, Risk Assessment and Controls

Hazard: Exposure to exhaust from running vehicle

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| | |
|--------------------------------|---|
| Elimination | Turn off vehicle |
| Substitution | Not applicable |
| Engineering Controls | Install ventilation system |
| Administrative Controls | Develop and implement a safe work procedure for changing a tire |
| PPE | Not applicable |

 Work to live.


Learner Handbook – Page 108

Review **Module 4**
Hazard Identification, Risk Assessment and Controls

Hazard: Tripping hazard - hose

**C
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| | |
|--------------------------------|---|
| Elimination | Eliminate the hose lying on the floor |
| Substitution | Not applicable |
| Engineering Controls | Install a hose reel to contain the hose when in use |
| Administrative Controls | Develop and implement a housekeeping policy |
| PPE | Not applicable |

 Work to live.

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Module 5

OHC Structure and Functions



Introduction

Module 5

OHC Structure and Functions

Module 5: OHC Structure and Functions

This module will:

- ✓ Explain which workplaces require an OHC and which require an OHS representative
- ✓ Review how to structure an OHC, including the number of members and co-chairpersons
- ✓ Review how to plan an OHC meeting
- ✓ List suggestions on how to manage OHC meetings
- ✓ Review the definition and significance of an OHC quorum
- ✓ Review an employer's responsibilities in OHC functions

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Where OHCs are Required

Module 5

OHC Structure and Functions

Occupational Health Committees are required in:

- Workplaces with 10 or more workers
Section 3-22 of the Act, Establishment of committees
- Construction sites where 10 or more workers are likely to work more than 90 days
Section 4-1 of the Regulations, Committees at construction sites
- The ministry can order additional or new committees to be established
Section 3-23 of the Act, Director may order additional or new occupational health committees

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OHS Representatives

Module 5

OHC Structure and Functions

OHS Representatives:

- Are required in workplaces with **five to nine workers**
- Are at workplaces listed in Appendix Table 7 of the Regulations, *Prescribed Places of Employment*
- Are elected by the workers
- Have similar duties to an OHC member except they are **not** required to investigate refusals to work
- Perform their duties in consultation with the employer

Section 3-24 of the Act, Designation of representatives

Section 3-28 of the Act, Duties of representatives

Section 4-8 of the Regulations, Designation of representative

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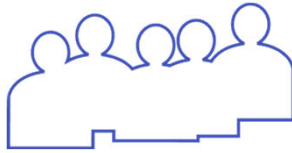


How OHCs are Structured

Module 5
OHC Structure and Functions

The OHC is structured as required by law.

- Must have a minimum of **two** to a maximum of **12** members per OHC
- Must have at least half of the members composed of worker members
Section 3-22 of the Act, Establishment of committees
- Shall represent all workers and types of work in the workplace
Section 4-2 of the Regulations, Designation of committee members



Learner Handbook – Page 113



How OHCs are Structured

Module 5
OHC Structure and Functions

Co-chairpersons

Each OHC must have a worker co-chairperson and an employer co-chairperson.

- Worker co-chairperson is elected by worker members
- Employer co-chairperson is appointed by the employer

OHC co-chairpersons have equal rights, duties, and responsibilities.

They:

- Keep the workplace informed of OHC activities
- Receive and distribute health and safety information
- Call special meetings

Section 4-6 of the Regulations, Co-chairpersons
Section 4-7 of the Regulations, Special meetings

Learner Handbook – Page 113



Special OHC Meetings

Module 5
OHC Structure and Functions

Special meetings are called by the co-chairpersons to:

- Deal with imminent dangers to the health and safety of workers
- Investigate serious accidents and dangerous occurrences
- Investigate work refusals

Special meetings

4-7 Either co-chairperson mentioned in section 4-6 may call a special meeting of a committee to deal with urgent concerns, imminent dangers to health or safety, investigations of accidents or dangerous occurrences or refusals to work pursuant to section 3-31 of the Act.

Section 4-7 of the Regulations, Special meetings

Learner Handbook – Page 113



Special OHC Meetings

Module 5
OHC Structure and Functions

Special meetings called by the co-chairpersons help update members on changing circumstances.

Some examples include:

- Updating OHC members when incidents occur
- Beginning incident investigations
- Gathering information on work refusals
- Consulting experts to better handle impending dangers
- Bringing forward serious situations that require immediate attention

Learner Handbook – Page 113



Selecting Members

Module 5
OHC Structure and Functions

Selecting members

Non-union workplace

Workers select worker representatives

Unionized workplaces

The union's constitution determines the member selection

Employer members

The employer designates employer representatives

[Section 3-22 of the Act, Establishment of committees](#)



Learner Handbook – Page 113



How OHCs are Structured

Module 5
OHC Structure and Functions

Terms of office

- Each OHC member serves for a term not exceeding **three** years
- Members may serve for subsequent terms

[Section 4-2 of the Regulations, Designation of committee members](#)



Learner Handbook – Page 114



Meeting Quorum

Module 5
OHC Structure and Functions

An OHC must have a quorum to legitimately conduct OHC business

Quorums require **three criteria**:

1. Half of the members must be present
2. Half of the members who are present must be workers
3. At least one employer member must be present

[Section 4-3 of the Regulations, Quorum and certain votes](#)

Without quorum:

- The business conducted is **not valid**
- The OHC meeting is **not valid**

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OHC Meetings

Module 5
OHC Structure and Functions

Newly created committees

- First meeting – should be within **two weeks** of being initially formed
- Next three meetings – should be held **monthly**

Established committees

- Must meet **quarterly** (every three months) at minimum
- May choose to meet more frequently

[Section 4-4 of the Regulations, Frequency of meetings](#)

Learner Handbook – Page 114




Additional OHC Meetings

Module 5
OHC Structure and Functions

Additional meetings

1. The ministry can require the OHC to meet more frequently
Section 4-4 of the Regulations, Frequency of meetings
2. Co-chairpersons can call a **special meeting**
Section 4-7 of the Regulations, Special meetings
3. An occupational health officer can call meetings
Section 4-12 of the Regulations, Meetings called by officer

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Learner Handbook – Page 114

OHC Meetings

Module 5
OHC Structure and Functions

Plan the OHC meeting

AGENDA

1. Create an agenda
 - Allow members a chance to contribute
 - Include unfinished business from previous meetings
 - Include meeting location and time
 - Attach minutes from the last OHC meeting



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Learner Handbook – Page 122

OHC Meetings


Module 5
OHC Structure and Functions

Plan the OHC meeting



Some suggestions to include on the agenda:

- OHC inspections
- Employer inspections
- Worker concerns
- Incident investigations
- Ongoing concerns
- Health and safety topics

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OHC Meetings

Module 5
OHC Structure and Functions

Plan the OHC meeting

2. Distribute the **agenda** prior to the meeting
3. Ensure that OHC meeting will have a **quorum**
4. Reserve an appropriate **meeting location**



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Learner Handbook – Page 122


Module 5

OHC Structure and Functions

OHC Meetings

Manage the OHC meeting

- Focus on health and safety topics
- Have co-chairpersons lead the OHC meetings
- Follow the agreed-upon meeting agenda
- Maintain a level playing field
- Maintain respectful meeting etiquette





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Module 5

OHC Structure and Functions

Meeting Minutes

Complete the OHC minutes


- OHC must keep minutes of each meeting in the format provided by the ministry
Section 4-5 of the Regulations, *Minutes*
- Fillable minutes forms are available from www.saskatchewan.ca
- Minutes can be in paper or electronic form, but must be accessible to all workers in the workplace



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Minutes

Occupational Health Committee

Complete all information on top: Type or handwrite

| | | | | | | | |
|-------------------------------|--|---------------------|--|--|--|---------------------------------|--------------------|
| Name of firm | ABC Gadgets Inc | | | | | Total # of workers in workplace | 25 |
| Mailing address & Postal Code | PO Box 12 Regina, SK, S4P 4V4 | Phone: 306.555.1234 | | | | Meeting date | September 15, 2023 |
| Worksite address | 1800-333 Street Regina, SK, S4P 5V6 | Phone: 306.545.1225 | | | | Date of next meeting | December 15, 2023 |
| | | 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 | X | | | Ken Clark | Operator | X | |
| | Logan Jackman | Shop Supervisor | X | | | Barb Summer | Admin | X | |
| | | | | | | Erik Lenser | Maintenance | X | |
| | | | | | | Bruce Banner | Shipping | | X |

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| Item Date & No. | Problem or Concern Give full explanation and details Divide old/new concerns | Action Taken or Proposed name person responsible | Target Date |
|-----------------|--|--|---------------------|
| 09/15/23 #1 | OLD CONCERNS: Complaints about bad air in main office. Several staff sick, reports of severe headaches. Carbon dioxide levels measured in the morning - 5200 ppm | OLD CONCERNS: Section 6-2 of the Regulations, Ventilation and air supply, Table 18 of the Regulations, contamination limits for Carbon Dioxide 8 hr avg = 5000 ppm. Erik Lenser - inspected & cleaned ventilation system on Sept. 15/2023. Measure levels in afternoon = 300 ppm. Complaints reduced, staff feeling better. Defects found during the inspection and repairs to be completed within 2 weeks. | Complete 09/26/2023 |
| 12/15/23 #2 | NEW CONCERNS: Guard missing on gadget stacker as indicated on Dec. 14/2023 inspection. | NEW CONCERNS: Section 10-4 of the Regulations, Safeguards, Erik Lenser and Logan Jackman working with vendor to install new guard. Erik Lenser installed a temporary guard to ensure workers are not at risk in the interim. | 10/20/23 |

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

D. Prince

Employer Co-chairperson

K. Clark

Worker Co-chairperson

Page 1 of 1



Module 5
OHC Structure and Functions

Developing Recommendations

The committee recommends corrective actions for the employer to consider.

When developing the recommendation:

- Be clear and concise
- Include all details
- Cite legislation
- Provide a suggested timeline
- Recommend short-term and long-term solutions
 - Short-term solutions to solve the immediate causes of the problem
 - Long-term solutions to remove the root cause

Module 5
OHC Structure and Functions

Meeting Minutes


File and post the OHC meeting minutes

- Minutes must be signed by both co-chairpersons to become a legal record
- Minutes must be kept on file
- Current minutes must be posted

Post the OHC member's names

- Employer must post the OHC committee member names
Section 3-25 of the Act, Duty to post names


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Module five
OHC Structure and Functions

Meeting Minutes

Does your company have a bulletin board solely to post health & safety information?



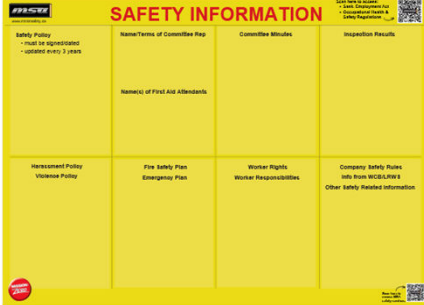
Module five
OHC Structure and Functions

Meeting Minutes


Bulletin Board

The employer must provide a suitable bulletin board in a conspicuous location for posting health and safety information.

Section 3-16 of the Act, Duty to provide information
Section 3-4 of the Regulations, Duty of employer or contractor to provide information



Learner Handbook – Page 130




Employer Responsibilities

Module 5
OHC Structure and Functions

Employers shall ensure:

- OHC members are **trained**
Section 4-9 of the Regulations, *Training of representatives, committee members*
- Any **information** that may affect the health and safety of a worker and which is necessary to control hazards is **known** to the worker
Section 3-16 of the Act, *Duty to provide information*
Section 3-4 of the Regulations, *Duty of employer or contractor to provide information*
- Time** is provided to carry out OHC duties
Section 4-11 of the Regulations, *Opportunity for necessary activities*

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Employer Responsibilities

Module 5
OHC Structure and Functions

- Allow the OHC to **inspect** the place of employment at reasonable intervals
Section 3-17 of the Regulations, *Inspection of place of employment*
- Provide **progress reports** to the ministry and provide a copy to the OHC
Section 3-43 of the Act, *Progress reports*
Section 3-42 of the Act, *Copy of compliance undertaking or notice of contravention*
- Give **notice** to the ministry
Section 2-2 of the Regulations, *Accidents causing serious bodily injury*
Section 2-3 of the Regulations, *Dangerous occurrences*

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Employer Responsibilities

Module 5
OHC Structure and Functions

- Respond** to concerns reported by the OHC
Section 3-17 of the Regulations, *inspection of place of employment*
- Ensure the OHC has **access** to records for review, opportunity to receive concerns and time to hold a special meeting
Section 4-11 of the Regulations, *Opportunity for necessary activities*
- Maintain **confidentiality**
Section 3-60 of the Act, *Confidentiality*
Section 2-4 of the Regulations, *Medical information*
Section 3-10(2) of the Regulations, *Biological monitoring*
Section 3-21 of the Regulations, *Injuries requiring medical treatment*


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Module 6

OHC Inspections and OHC Investigations

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Introduction

Module 6
Inspections and Investigations

Module 6: Inspections and Investigations

This module will:

- ✓ Review an OHC's duty to conduct OHC inspections, including who, what and when
- ✓ Explain how to plan what and where to conduct inspections
- ✓ Explain an OHC's role during an occupational health officer inspection
- ✓ Demonstrate how to create an inspection record that can help show due diligence
- ✓ Explain an employer's role in OHC inspections
- ✓ Review an OHC's duty to investigate certain workplace incidents

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Introduction

Module 6
Inspections and Investigations

The OHC or the representative has two key duties.

- To **inspect** the workplace
- To conduct workplace **investigations**




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Definitions

Module 6
Inspections and Investigations

An **inspection** is a planned walk-through of:

- The worksite
- Equipment
- Tools
- Work processes
- Work practices



An **investigation** is a gathering and detailed analysis of facts to discover information.

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Definitions

Module 6
Inspections and Investigations

Inspections help the OHC or representative to:

- Compare existing conditions with standards
- Identify deficiencies
- Make recommendations to the employer on corrective actions

OHC inspections:

- 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 6
Inspections and Investigations

Types of OHC inspections

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



Learner Handbook – Page 140



OHC Inspections

Module 6
Inspections and Investigations


1. Planned inspections

- Are **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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Who?

Module 6
Inspections and Investigations

Who completes the OHC inspection?

- Co-chairpersons?
- The entire committee?
- Specific OHC members?
- OHS Representatives?



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What?

Module 6
Inspections and Investigations


What is the OHC or representative 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 the inspection based on that.

- What area of the worksite?
- Which tools and equipment?
- Which tasks the people are doing?

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Module 6


Inspections and Investigations

When?

When are OHC inspections completed?

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

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



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Module 6

Inspections and Investigations

Provide Information

The employer must provide the OHC (or representative) with or allow access to the written information that they need to perform their duties, including the information needed to complete OHC inspections.

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

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

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Module 6

Inspections and Investigations

OHC 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*

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Module 6

Inspections and Investigations

OHC Inspections

3. Intermittent inspections:

Are **unscheduled** and happen as needed

Examples:

- New equipment installation
- Significant workplace changes
- During a project milestones

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OHC Inspections Module 6
Inspections and Investigations

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

OHC members or the representative should be familiar with:

- Workplace policies
- Safe work practices
- Workplace hazards and hazardous areas
- Applicable PPE and its limitations
- Existing controls



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OHC Inspections Module 6
Inspections and Investigations

Before the inspection, the OHC (or the representative) benefits from reviewing relevant documents.

Some examples are:



- Previous inspection checklists
- Recent worker concerns
- Incident reports
- First-aid registers
- Equipment manuals

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OHC Inspections Module 6
Inspections and Investigations

Four categories to inspect:






Learner Handbook – Page 144

OHC Inspections Module 6
Inspections and Investigations

Examples:

- Machines
- Mobile equipment
- Tools
- PPE
- First-aid, emergency and fire equipment
- Elevators, hoists, lifts


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OHC Inspections


Module 6
Inspections and Investigations

Examples:

- Housekeeping
- Dust, fumes, vapors
- Light
- Hot and cold conditions




ENVIRONMENT



Learner Handbook – Page 144

OHC Inspections


Module 6
Inspections and Investigations



MATERIALS AND SUBSTANCES

Examples:

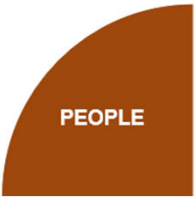
- Chemicals and WHMIS products
- Biological substances
- Other materials



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OHC Inspections


Module 6
Inspections and Investigations



PEOPLE

Examples:

- Training
- Work practices, rules and safety procedures
- Supervision
- Experience



Learner Handbook – Page 144


Inspection Checklist

Module 6
Inspections and Investigations

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

The checklist should:

- List areas
- List equipment
- List safe work practices to be inspected
- List standards to measure workplace conditions against
- Have a column for yes or no
- Have a section to write corrective action recommendations
- Include space to write additional comments



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Module 6
Inspections and Investigations

Inspection Checklist

Completed inspection checklists:

- Capture the inspection results and **serve as the record**
- Help to establish due diligence
- Clearly explain each hazard or concern and identify its location
- Help the OHC or representative to recommend corrective actions

Completed inspection checklists should be reviewed during OHC meetings.

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Module 6
Inspections and Investigations


Inspection Checklist

Checklist questions for forklift truck

Forklift truck inspected: _____
 Date/Time/Shift: _____
 Employer Inspector: _____
 Worker Inspector: _____

| Item | Notes | Meets standard? | |
|--|-------|--|----|
| | | Yes | No |
| Operation by competent workers and visual inspection | | | |
| 1. Are only competent people operating the forklift? | | | |
| 2. Does each forklift operator conduct a visual inspection before operation? | | | |
| 3. Is visual inspection completed before starting machine? | | | |
| General | | List maintenance dates where applicable | |
| 4. Are maintenance and repair logs up to date? | | | |
| 5. Is horn working properly? | | | |
| 6. Are brakes working properly? | | | |
| 7. Are defects fixed as soon as possible? | | | |
| 8. Can operators readily access logs? | | | |
| 9. Does operator use seatbelt? | | | |
| 10. Is backup alarm working properly? | | | |




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Module 6
Inspections and Investigations

Employer Inspections

The employer must conduct regular inspections of the workplace and its tools and technologies, and correct identified defects.




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

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Module 6
Inspections and Investigations

OHC Investigations

Does your business investigate if someone is hurt on the job?

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OHC Investigations

Module 6
Inspections and Investigations

An OHC (or the representative) must investigate:

- 1 An accident-causing serious bodily injury
- 2 A dangerous occurrence

An OHC but NOT the representative must investigate:

- 3 A refusal to work
- 4 A worker's exposure to chemical or biological substances



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OHC Investigations

Module 6
Inspections and Investigations


- 1 An accident-causing serious bodily injury

Some workplace incidents result in (or could have resulted in) extremely serious consequences.

The OHC or representative must investigate and write a written report in the event of:

1. A fatality
- OR
2. A worker requiring hospitalization for 24 hours or more

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



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OHC Investigations

Module 6
Inspections and Investigations

- 2 A dangerous occurrence

A **dangerous occurrence** is when an incident **could have – but did NOT** – result in a fatality or serious bodily injury, as described in **Section 2-2 of the Regulations**.

- The OHC or representative must investigate the dangerous occurrence and write a written report.
Section 3-20 of the Regulations, *Investigation of dangerous occurrences*
- Specific examples of what is considered a dangerous occurrence are found in **Section 2-3(1) of the Regulations, *Dangerous occurrences***



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OHC Investigations

Module 6
Inspections and Investigations

Examples of a dangerous occurrence include (but are not limited to):

- Contact with an energized electrical conductor
- Overturning of a crane or power mobile equipment
- Collapse of structure or excavation
- Bursting of a grinding wheel

Section 2-3(1) of the Regulations, *Dangerous occurrences*



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OHC Investigations

Module 6
Inspections and Investigations

3 A refusal to work

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*

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OHC Investigations

Module 6
Inspections and Investigations

4 A worker's exposure to chemical or biological substances

An employer, **in consultation with the OHC**, shall investigate a worker's exposure to chemical or biological substances.

- Any exposure to substances listed in Table 16 and 17 of the Appendix must be investigated by the employer.

Section 21-10(1) of the Regulations, *Report of worker's exposure*

Appendix Table 16 of the Regulations, *Notifiable Chemical and Biological Substances*

Appendix Table 17 of the Regulations, *Designated Chemical Substances*

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Control the Scene

Module 6
Inspections and 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 the evidence until it can be collected



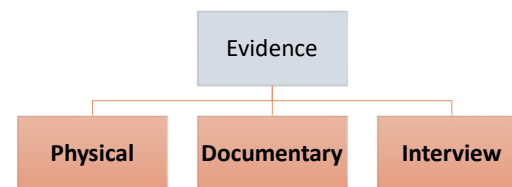
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Collect Evidence

Module 6
Inspections and Investigations

There are three types of evidence:



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Collect Evidence


Module 6
Inspections and Investigations

When handling physical evidence be sure to:

- Use safe work procedures
- Use PPE where required
- Take photographs or video of the scene
- Create a log of photos and item location
- Do not disturb the scene
- Do not remove evidence until regulatory investigators have released the scene
- Before leaving the scene, verify all physical evidence is collected, mapped and photographed

Physical

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Collect Evidence


Module 6
Inspections and Investigations

Examples of physical evidence include:

- Broken parts
- Placement of debris
- Location of equipment
- Spills
- Worker position



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Collect Evidence

Module 6
Inspections and Investigations


Related documents can provide valuable insight into the incident.

Documentary

Review documentary evidence to:

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

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Collect Evidence

Module 6
Inspections and Investigations

Gather witness statements


- Within 24 hours, if possible
- Expect contradictions
- Consider including witnesses from before, during and after the incident

Interview

Conduct follow-up interviews as required

- Decide who to interview and why
- Prepare a list of questions for each interview
- Use open-ended and closed questions

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Analyze Evidence

Module 6
Inspections and Investigations


Analyze the factors surrounding the incident.

There are five categories of evidence.

- People
- Material
- Task
- Environment
- Equipment




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Analyze Evidence


Module 6
Inspections and Investigations



Some examples of questions to ask for people:


- Was there pressure to complete tasks under a deadline, or to bypass safety procedures?
- Were the workers experienced in the work being done?
- Had the workers been adequately trained?

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Analyze Evidence


Module 6
Inspections and Investigations



Some examples of questions to ask for task:


- Was the proper safe work procedure being used?
- Was the appropriate PPE available and used?
- Was there adequate supervision?

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Analyze Evidence


Module 6
Inspections and Investigations



Some examples of questions to ask for material:


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

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Analyze Evidence


Module 6
Inspections and Investigations



Some examples of questions to ask for environment:


- Was noise a problem?
- Was poor housekeeping a problem?
- Was there adequate light or glare?

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Analyze Evidence


Module 6
Inspections and Investigations



Some examples of questions to ask for equipment:

- Was regular maintenance carried out?
- Was there an equipment failure?
- Was the right tool being used for the task?
- Was a safety guard off the machine?
- Was the tool damaged in any way?

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Determine Cause

Module 6
Inspections and Investigations


Determine the DIRECT CAUSE

What happened immediately before the event?


- Usually involves some type of action

Examples:

- Fell
- Dropped
- Hit
- Slipped
- Contacted



Learner Handbook – Page 154



Determine Cause

Module 6
Inspections and Investigations


Determine the INDIRECT CAUSE

What substandard acts and conditions contributed to the event?


- There is often more than one indirect cause

Examples:

- Inadequate PPE
- Defective equipment or materials
- Improper lifting
- Inadequate ventilation
- Poor housekeeping/disorder



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Determine Cause

Module 6
Inspections and Investigations

Determine the ROOT CAUSE

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

- An event can have more than one root cause
- Safety management system problems are often "root" causes
- The investigation team must keep asking 'why' to identify the root causes of an event



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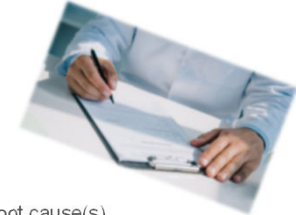
Investigation Report

Module 6
Inspections and Investigations

Complete the investigation report and recommend corrective actions

The investigation report should:

- Describe the incident
- Include the direct cause(s)
- Include the indirect cause(s)
- Identify the root cause(s)
- Recommend corrective actions to rectify root cause(s)



Learner Handbook – Page 154



Investigation Report

Module 6
Inspections and Investigations

The OHC will do two things with the report:

1. Submit the report to the employer
2. To maintain confidentiality, present a summarized version of the report to the OHC

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Module 7
Workers' Concerns and Refusals

Introduction **Module 7**
Workers' Concerns and Refusals

Module 7: Worker's Concerns and Refusals

This module will:

- ✓ Review an OHC's duty to receive, consider and resolve workers' concerns
- ✓ List the steps workers can take when they have a concern
- ✓ Explain how to investigate a worker's refusal to do dangerous work
- ✓ Review the criteria the OHC shall use to determine if a work refusal is valid
- ✓ List the six steps a worker shall use when refusing to do work they believe is unusually dangerous

 WorkSafe
Work to live.


Learner Handbook – Page 158

Worker Concerns **Module 7**
Workers' Concerns and Refusals

One of the legislated duties of the OHC is to help workers deal with concerns.

The OHC has a duty to:

- **Receive, consider, and resolve** matters in respect to the health and safety of workers
Section 3-27 (f) (g) of the Act, Duties of committees
- **Investigate** work refusals
Section 3-27 (e) of the Act, Duties of committees


 WorkSafe
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Learner Handbook – Page 158

Worker Concerns **Module 7**
Workers' Concerns and Refusals

WorkSafe Saskatchewan suggests **four steps to take when a worker has a health and safety concern.**

- 1.** Worker contacts the supervisor
- 2.** Worker contacts the OHC co-chairperson when:
 - a. The worker does not want to contact the supervisor, OR
 - b. The supervisor and worker cannot resolve the concern


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Learner Handbook – Page 159

Worker Concerns **Module 7**
Workers' Concerns and Refusals

3. Co-chairperson involves the OHC

- The co-chairperson may be able to resolve the concern
- If the co-chairperson cannot resolve the matter, they will add the concern to the next scheduled OHC meeting agenda for discussion
- If the matter is urgent, the co-chairperson will call a special meeting of the OHC

 WorkSafe
Work to live.

Learner Handbook – Page 159

Worker Concerns

Module 7
Workers' Concerns and Refusals

4. Contact the ministry (LRWS)

If the OHC is unable to resolve the worker's concern, contact the ministry for assistance.

Call the Occupational Health and Safety Branch of the Ministry of Labour Relations and Workplace Safety at 1-800-567-7233.




Learner Handbook – Page 159


Worker Concerns

Module 7
Workers' Concerns and Refusals

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 7
Workers' Concerns and Refusals

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 3-1(1)(i) of the Act, *Interpretation of Part*
Section 3-35(f) of the Act, *Discriminatory action prohibited*


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Right to Refuse

Module 7
Workers' Concerns and Refusals

- 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 7
Workers' Concerns and Refusals

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 7
Workers' Concerns and Refusals

The ministry recommends a worker follow these **six 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*.




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Right to Refuse

Module 7
Workers' Concerns and Refusals

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**).




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Right to Refuse

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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's decision on the validity of the refusal must be **unanimous**.



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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*

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Reassign the work

Module 7

Workers' Concerns and Refusals

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. An explanation 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*

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Right to Refuse

Module 7

Workers' Concerns and Refusals

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*

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Right to Refuse

Module 7

Workers' Concerns and Refusals

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

The OHC will investigate using the **standard investigation procedures**.

Standard procedure includes:

- Gathering and analyzing physical evidence
- Conducting interviews (with the supervisor and the worker)
- Completing an investigation report

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

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Module 7

Discriminatory Action Prohibited

Workers' Concerns and Refusals


Discriminatory action prohibited

The legislation clarifies that **an employer cannot discriminate against a worker when that worker exercises their right to refuse.**

Discriminatory action prohibited
3-35 No employer shall take discriminatory action against a worker because the worker:

(f) refuses or has refused to perform an act or series of acts pursuant to section 3-31;

Section 3-35 of the Act, Discriminatory action prohibited

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Module 7

Knowledge Check

Workers' Concerns and Refusals

1. When exercising the right to refuse, the ministry recommends that a worker follows six steps. **Put the following steps in the correct order.**

If the refusal cannot be resolved within the workplace, contact the ministry.


The worker should not leave the worksite without their employer's permission

An occupational health officer will investigate the refusal and provide a written decision on the matter.

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*.

The OHC investigates the refusal to determine if there are reasonable grounds to refuse the work. The OHC decision on the validity of the refusal must be *unanimous*.

If the worker and supervisor cannot resolve the concern to the worker's satisfaction, they contact their workplace Occupational Health Committee (OHC).


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Summary

This course covered how to:

- ✓ Navigate, apply and cite occupational health and safety legislation.
- ✓ Identify the roles in the workplace responsibility system (WRS).
- ✓ Understand the legal duties of the Occupational Health Committee (OHC).
- ✓ Identify hazards, assess risks and recommend controls.
- ✓ Understand the Occupational Health Committee's (OHC's) structure and function.
- ✓ Complete Occupational Health Committee (OHC) inspections and investigations.
- ✓ Help resolve workers' concerns and investigate a worker's formal refusal to do dangerous work

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Questions


This concludes our workshop on:

Level 1 Occupational Health Committee

If you have any questions or would like further assistance,
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