



Occupational Health Committee

Level 1

WorkSafe
SASKATCHEWAN
Safety • Health • Well-being



Housekeeping

Session Information

Modules = 7

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

Lunch break: 60 mins



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 (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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- 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:



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?**



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*.

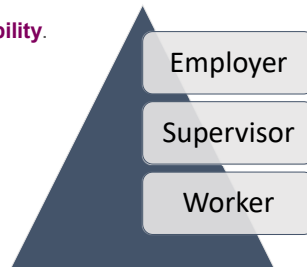


Legislation in the Workplace

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*



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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

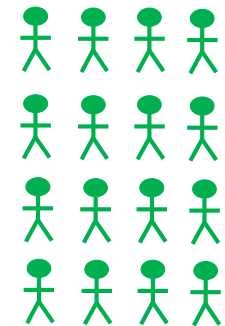
Meet Bob



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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How the Act and the Regulations Work Together

The Saskatchewan Employment Act

Module 1
Legislation

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DIVISION 3
Duties

3-20 Duty to provide occupational health and safety programs

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PART 3
General Duties

3-11 Occupational health and safety program

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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How the Act and the Regulations Work Together

The Occupational Health and Safety Regulations, 2020

Module 1
Legislation

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PART 3
General Duties

3-11 Occupational health and safety program

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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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How the Act and the Regulations Work Together

Module 1
Legislation

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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PART 3
General Duties

3-11 Occupational health and safety program

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

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How the Act and the Regulations Work Together

Module 1
Legislation

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PART 3
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PART 3
General Duties

3-11 Occupational health and safety program

(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 substance 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).

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

3. 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	Section 3-1 of the Regulations, <i>General duties of employers</i> Section 8-3 of the Regulations, <i>Measurement of noise levels</i> Section 25-2 of the Regulations, <i>Fire safety plan</i> Section 4-4 of the Regulations, <i>Frequency of meetings</i>
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Module 1
Legislation

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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 particular 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

The Act imposes a duty on everyone to take reasonable care of their health and safety and that of others **to the degree they have the authority and ability to do so.**

- (5) If a provision of these regulations imposes a duty or requirement on more than 1 person, the duty or requirement is meant to be imposed primarily on the person with the greatest degree of control over the matters that are the subject of the duty or requirement.

Section 1-4 of the Regulations, Generality of duties not limited

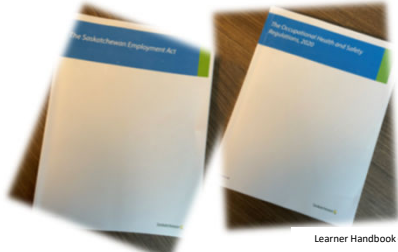
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Due diligence principles

Module 2
Roles in the WRS

2 Regulatory Compliance

Show you have taken every reasonably practicable action to comply with legislation.



*** Ignorance is not a defence.**



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Due diligence principles

Module 2
Roles in the WRS

3 Reasonably Practicable

Do what is possible to do given the current knowledge, technology and invention.

(z) “**reasonably practicable**” means practicable unless the person on whom a duty is placed can show that there is a gross disproportion between the benefit of the duty and the cost, in time, trouble and money, of the measures to secure the duty;

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



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Due diligence principles

Module 2
Roles in the WRS

4 Proactive

Take action to prevent illness and injury through hazard identification, risk assessment, control implementation, and safety program review.



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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:

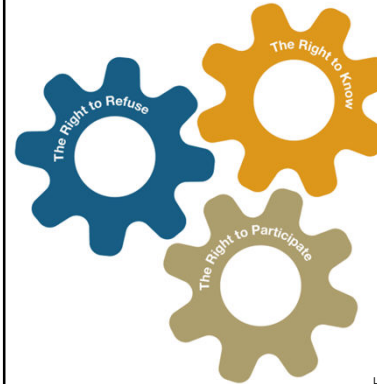
- OHC meeting minutes
- OHC workplace inspections including any corrective actions taken
- OHC review of emergency response drills
- OHC Incident Investigation reports



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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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Three rights of workers

Module 2
Roles in the WRS

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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Three rights of workers

Module 2
Roles in the WRS

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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Legislated duties of the employer

Module 2
Roles in the WRS

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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Legislated duties of the employer

Module 2
Roles in the WRS

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



The role of the OHC

Module 2
Roles in the WRS

The OHC:

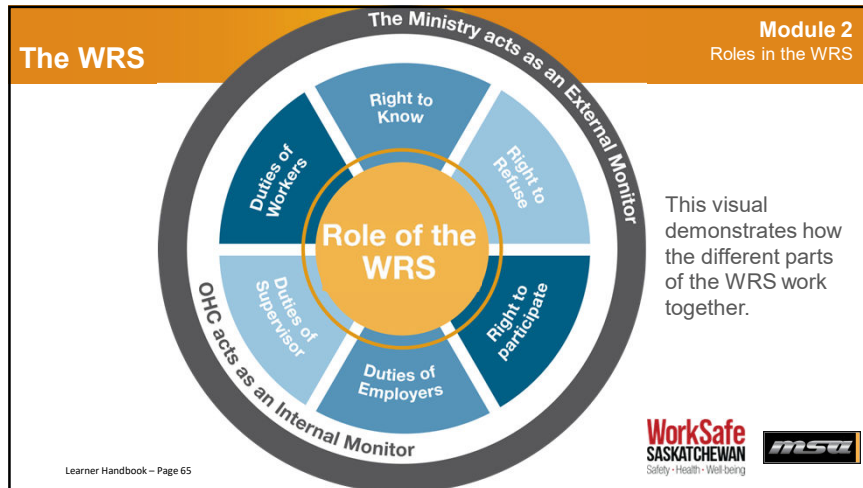
- Helps to identify hazards, assess risk and recommend controls.
- Cannot assume the legal duties of employers, supervisors or workers.
- Monitors the WRS; the OHC is not the WRS itself.



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



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Knowledge Check

Module 2
Roles in the WRS

1. Practicing due diligence has several things to think about. From the list below, check all the considerations to demonstrate due diligence.

- A. **Foreseeable**
Could a reasonable person have foreseen that something could go wrong?
- B. **Reactive**
Was a control implemented in response to a hazard?
- C. **Severity of the hazard**
How serious could the consequence of a hazard could have been?
- D. **Preventable**
Was there an opportunity to prevent something from going wrong?
If so, was an effort made?
- E. **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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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 co-operate** 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*



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Legislated duties of the OHC

Module 3
Legal duties of the OHC

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



- 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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Legislated duties of the OHC

Module 3
Legal duties of the OHC

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



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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Legislated duties of the OHC

Module 3
Legal duties of the OHC

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



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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Legislated duties of the OHC

Module 3
Legal duties of the OHC

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



- 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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Legislated duties of the OHC

Module 3
Legal duties of the OHC

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



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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Legislated duties of the OHC

Module 3
Legal duties of the OHC

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



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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Legislated duties of the OHC

Module 3
Legal 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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Legislated duties of the OHC

Module 3
Legal 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.




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Legislated duties of OHS representatives

Module 3
Legal duties of the OHC

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

Participate
in the
identification
and control of
hazards

Co-operate with
established
health and
safety services

Receive
information
regarding health
and safety and
distribute it to
workers

Receive and
consider health
and safety
matters of
workers

Other duties
specified in
legislation

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




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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.




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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*



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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

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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*



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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.

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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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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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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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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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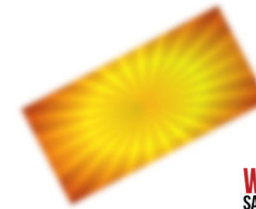
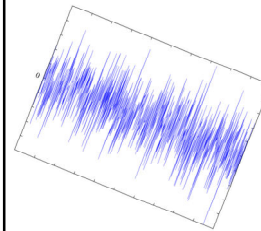
Identify

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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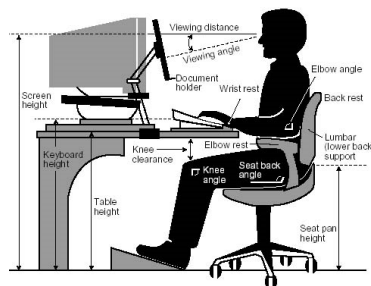
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Identify

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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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



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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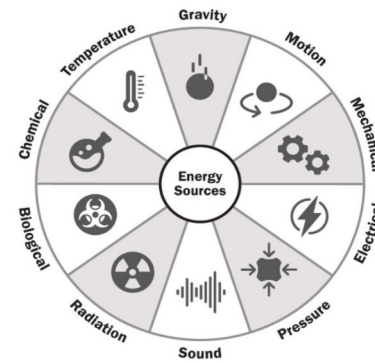


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Identify

Module 4

Hazard Identification, Risk Assessment and Controls



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

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Identify

Module 4

Hazard Identification, Risk Assessment and Controls

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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Identify

Module 4

Hazard Identification, Risk Assessment and Controls

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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Identify

Module 4

Hazard Identification, Risk Assessment and Controls

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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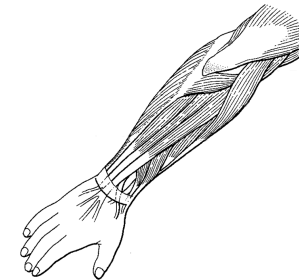
Identify

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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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

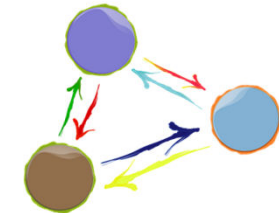
Module 4

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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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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Identify

Module 4

Hazard Identification, Risk Assessment and Controls

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:
 (a) the occupational health committee;
 (b) the occupational health and safety representative; or
 (c) 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 a--- prescribed provisions.
 (3) An employer shall ensure that an investigation is conducted into any incidents 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*

Identify

Module 4

Hazard Identification, Risk Assessment and Controls

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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Identify

Module 4

Hazard Identification, Risk Assessment and Controls

Violence can include:

Threatening behaviours

- Shaking fists
- Destroying property
- Throwing objects

Physical attack

- Hitting
- Shoving
- Kicking
- Intentionally restricting a travel way

Verbal or written threat

- An expression of an intent to inflict harm

Verbal abuse

- Swearing
- Insults
- Condescending language

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Identify

Module 4
Hazard Identification, Risk Assessment and Controls

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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Identify

Module 4
Hazard Identification, Risk Assessment and Controls

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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Consider

Module 4
Hazard Identification, Risk Assessment and Controls

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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Module 4

Assess Risk

Hazard Identification, Risk Assessment and Controls

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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Module 4

Assess Risk

Hazard Identification, Risk Assessment and Controls

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

Assess Risk

Hazard Identification, Risk Assessment and Controls

RISK ASSESSMENT MATRIX

LIKELIHOOD	5	5	10	15	20	25	CONSEQUENCES
	4	4	8	12	16	20	
	3	3	6	9	12	15	
	2	2	4	6	8	10	
	1	1	2	3	4	5	
		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)




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Module 4

Control

Hazard Identification, Risk Assessment and Controls

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.






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Control Module 4
Hazard Identification, Risk Assessment and Controls

Hierarchy of controls

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

Most effective

Least Effective

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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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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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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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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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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.



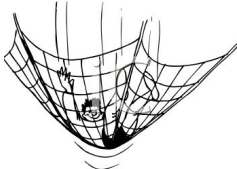

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Control
Module 4
Hazard Identification, Risk Assessment and Controls

Effective controls

An effective control must:

- Prevent the hazard from causing harm
- Not create a new hazard
- Not create a hazard to the environment or the public



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




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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?




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Review

Module 4

Hazard Identification, Risk Assessment and Controls

I D E N T I F Y

Review

Module 4

Hazard Identification, Risk Assessment and Controls

A S S E S S R I S K

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	4	5	20	1st
Safety hazard: Tripping hazard - hose	5	3	15	3rd
Health hazard: Lifting material (tire)	4	3	12	4th
Health hazard: Exposure to exhaust from running vehicle	4	4	16	2nd

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Review

Module 4

Hazard Identification, Risk Assessment and Controls

C O N T R O L

Hazard: Working under a hoisted vehicle

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

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Review

Module 4

Hazard Identification, Risk Assessment and Controls

C O N T R O L

Hazard: Exposure to exhaust from running vehicle

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

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Review

Module 4

Hazard Identification, Risk Assessment and Controls

Hazard: Tripping hazard - hose

C O N T R O L	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

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Module 5

OHC Structure and Functions

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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](#)



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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](#)

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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](#)

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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



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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*



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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*



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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*

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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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OHC Meetings

Module 5
OHC Structure and Functions

Plan the OHC meeting

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



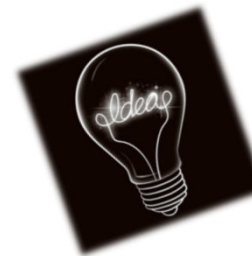
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OHC Meetings

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

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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OHC Meetings

Module 5
OHC Structure and Functions

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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Meeting Minutes

Module 5
OHC Structure and Functions

Government of Saskatchewan		Minutes Occupational Health Committee	
Complete all information on top. Type or handwrite			
Name of firm			
Mailing address & Postal Code			
Phone			
Worksite address			
Phone			
Fax			
Employer Co-chairperson			
Worker Co-chairperson			
Management members	Occupation	Present	Absent
Worker members	Occupation	Present	Absent
Item No.	Problem or Concern	Action Taken or Proposed	Target Date
Other business (including requests to Occupational Health and Safety)			
Workbooks update as follows: Copy 1 - Permanent Committee File Copy 2 - Employer Copy Copy 3 - Post to OHC website for worker information			

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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Government of Saskatchewan		Minutes Occupational Health Committee	
Complete all information on top: Type or handwrite			
Name of firm	ABC Gadgets Inc		
Mailing address & Postal Code	PO Box 12 Regina, SK, S4P 4V4		Phone: 306.555.1234
Worksite address	1800-333 Street Regina, SK, S4P 5V6		Phone: 306.545.1225
			Fax: 306.545.1007
Employer Co-chairperson	Diane Prince		Worker Co-chairperson
			Ken Clark
Management members	Occupation	Present	Absent
Diane Prince	CEO	X	
Logan Jackman	Shop Supervisor	X	
Worker members	Occupation	Present	Absent
Ken Clark	Operator	X	
Barb Summer	Admin	X	
Erik Lenser	Maintenance	X	
Bruce Banner	Shipping		X

Item Date & No.	Problem or Concern Give full explanation and details Divide old/new concerns	Action Taken or Proposed name person responsible	Target Date	M E E T I N G M I N U T E S
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 = 800 ppm. Complaints reduced, staff feeling better. Defects found during the inspection and repairs to be completed within 2 weeks.	Complete 09/29/2023	
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		

Developing Recommendations

Module 5
OHC Structure and Functions

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



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Meeting Minutes

Module 5
OHC Structure and Functions

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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Meeting Minutes

Module five
OHC Structure and Functions

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*

SAFETY INFORMATION			
Safety Policy Must be signed/signed - updated every 3 years	Name/Term of Committee Rep	Committee Minutes	Inspection Results
Harassment Policy Violence Policy	Fire Safety Plan Emergency Plan	Worker Rights Worker Responsibilities	Company Safety Rules Info from MSD/OWS Other Safety Related Information

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Employer Responsibilities

Module 5

OHC Structure and Functions

Employers shall ensure:

1. OHC members are **trained**
Section 4-9 of the Regulations, *Training of representatives, committee members*
2. 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*
3. **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

4. Allow the OHC to **inspect** the place of employment at reasonable intervals
Section 3-17 of the Regulations, *Inspection of place of employment*
5. 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*
6. 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

7. **Respond** to concerns reported by the OHC
Section 3-17 of the Regulations, *inspection of place of employment*
8. 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*
9. 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



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



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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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When?

Module 6
Inspections and Investigations

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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Provide Information

Module 6
Inspections and Investigations

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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OHC Inspections

Module 6
Inspections and Investigations

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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OHC Inspections

Module 6
Inspections and Investigations

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

Four categories to inspect:



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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

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

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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

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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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Inspection Checklist

Module 6
Inspections and Investigations

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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Inspection Checklist

Module 6
Inspections and Investigations

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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Employer Inspections

Module 6
Inspections and Investigations

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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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

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:

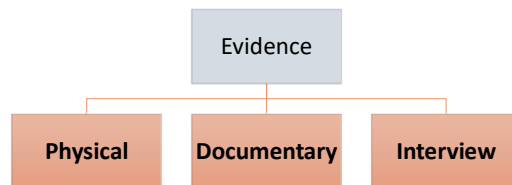
- Prevent further injury or damage
- Preserve the evidence until it can be collected



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.

Review documentary evidence to:

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

Documentary

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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



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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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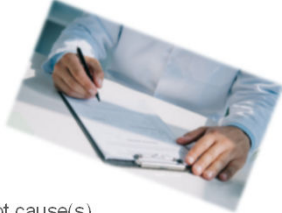
Investigation Report

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)



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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

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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

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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*



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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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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



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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.



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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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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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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

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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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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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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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Discriminatory Action Prohibited

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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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Knowledge Check

Module 7

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,
please contact us at:

1-306-721-0688

Email: info@motorsafety.ca Website: www.motorsafety.ca



Course Follow-Up Coaching Opportunity

- All member attendees have access to a One-on-One Coaching Follow-up session with an MSA Safety Consultant.
- Email: info@motorsafety.ca to book your coaching follow-up session.



Designation

Competent Safety Leader Designation (CSL)



Your feedback is greatly appreciated!

Please take 5 minutes to provide us
with your feedback on today's course
once we close out today's course!



Exam

- Open book, 20 multiple choice question exam.
- You must score 16/20 or higher to complete this training and receive a certificate.
- Certificates will be distributed through your SkillsPass account within 1-3 business days, watch for an activation email.



Congratulations!

THANK YOU for joining
us today & we hope to see
you again soon!