

Occupational Health and Safety in the Workplace

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Note

- *The Saskatchewan Employment Act* and *The Occupational Health and Safety Regulations, 2020* apply to all provincially regulated workplaces, including out of province businesses doing work within Saskatchewan.
- Contact us: 1-800-567-7233 (SAFE) or Email ohs.general@gov.sk.ca

Note

- The information provided in this presentation is not a substitute for the legislation.
- It is intended only to explain legislation.
- For legal purposes, always reference the most current version of the legislation.

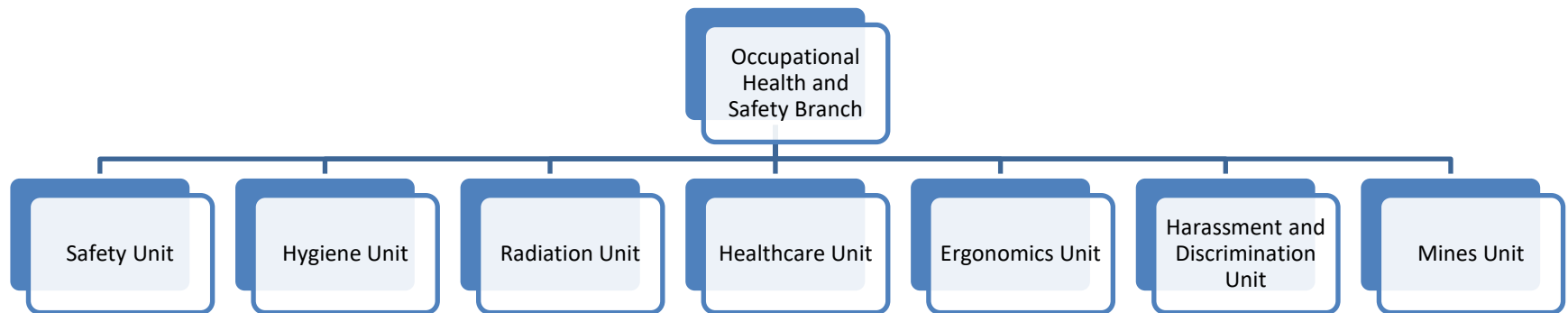
Agenda

- Structure of the Occupational Health and Safety branch (OHS)
- *The Saskatchewan Employment Act (SEA)*
- *The Occupational Health and Safety Regulations, 2020 (OHS Regs)*
- Definitions
- Workers' Three Rights
- Inspections by the occupational health officers (OHO's)
- Other areas of interest
- Resources
- Questions

Structure of OHS

- Ministry of Labour Relations and Workplace Safety (LRWS).
- Minister: Honourable Don McMorris
 - Occupational Health and Safety branch
 - Employment Standards branch
 - Office of the Workers' Advocate branch
 - Labour Relations and Mediation branch

Occupational Health and Safety Branch



Governing Legislation

- *The Saskatchewan Employment Act Part III* – covers occupational health and safety legislation in the act
- *The Occupational Health and Safety Regulations, 2020*

Definitions

- **Occupational health and safety as defined in SEA 3-1(o)**
 - (i) the promotion and maintenance of the highest degree of physical, mental and social well-being of workers
 - (ii) the prevention among workers of ill health caused by their working conditions
 - (iii) the protection of workers in their employment from factors adverse to their health
 - (iv) the placing and maintenance of workers in working environments that are adapted to their individual physiological and psychological conditions and:
 - (v) the promotion and maintenance of a working environment that is free of harassment

Definitions

- **Employer** – means, subject to *section 3-29 SEA*, a person, firm, association or body that has, in connection with the operation of a place of employment, one or more workers in the service of the person, firm, association or body.
- **Supervisor** – means an individual who is authorized by an employer to oversee or direct the work of the employer's worker.
- **Worker** – means an individual, including a supervisor, who is engaged in the service of an employer or a member of a prescribed category of individuals.

Definitions Con't

- **Construction** – Means the erection, alteration, renovation, repair, dismantling, demolition, structural maintenance and painting of a structure, and includes; land clearing, earth moving, grading, excavating, trenching, digging, boring, drilling, blasting, and concreting; and the installation of any plant.
- **Plant (ACT)** – includes any premises, site, land, mine, water, structure, fixture or equipment employed or used in the carrying on of an occupation.

Workers' Three Rights

1. The right to **KNOW**
2. The right to **PARTICIPATE**
3. The right to **REFUSE**

Responsibilities of Workers

- Protect their own health and safety and the health and safety of others.
- Refrain from causing or participating in harassment.
- Cooperate with any other person exercising a duty.
- Comply with OHS legislation.

Inspections

- OHOs can conduct an inspection at any plant, place of employment, worksite or vehicle where workers usually work or have worked. They have been given this authority to:
 - prevent incidents, injuries and illnesses;
 - determine the causes and details of an incident, injury or illness;
 - determine the cause and details of a dangerous-occurrence that could have resulted in an incident, injury or illness;
 - respond to an occupational health and safety complaint; and
 - determine if a workplace is complying with the occupational health and safety legislation, a compliance undertaking, a notice of contravention or any other order issued by the Branch in the enforcement/administration of its legislation.

Inspections

- An officer can conduct an inspection at any reasonable time or at any time they have grounds to believe that a hazardous situation towards workers exists.
- During inspections, OHOs may:
 - ask any question that they consider appropriate;
 - require a demonstration of the use of any machinery, equipment, appliance or thing located at the place of employment;
 - require the production of and remove any records that exist about the training of workers related to occupational health and safety (officers are required to return all documents in a timely fashion);
 - enlist the help of workers to retrieve and produce information that is stored electronically for the purpose of completing the inspection; and
 - require any person at the place of employment to produce any information they have concerning the identity of the employer.

OH&S Regulations

Protective headwear

7-6(1) If there is a risk of injury to the head of a worker, an employer or contractor shall provide approved industrial protective headwear and require a worker to use it.

(2) The following places are deemed to be places where a worker is exposed to a risk described in subsection (1):

- (a) a mine, mill or smelter;
- (b) a forestry or sawmilling operation;
- (c) a construction site;
- (d) a drilling operation;
- (e) an oil or gas servicing operation.

OHS&S Regulations

Footwear

7-11(1) Subject to subsection (4), an employer or contractor shall ensure that:

- (a) a worker uses footwear that is appropriate to the risks associated with the worker's place of employment and occupation; and
- (b) a worker who may be at risk from a heavy or falling object or who may tread on a sharp object uses approved protective footwear.

(2) The following places are deemed to be places where a worker is exposed to a risk described in clause (1) (b):

- (a) a mine, mill or smelter;
- (b) a forestry or sawmilling operation;
- (c) a construction site;
- (d) a drilling operation;
- (e) an oil or gas servicing operation.

(3) An employer or contractor shall:

- (a) provide outer foot guards if there is substantial risk of a crushing injury to the foot of a worker; and
- (b) provide approved protective footwear if the feet of a worker may be endangered by hot, corrosive or toxic substances.

OH&S Regulations

Risk from vehicular traffic

9-22(1) An employer or contractor shall ensure that a worker who is at risk from vehicular traffic, whether on a public highway or at any other place of employment, is provided with and required to use a high visibility vest, armlets or other high visibility clothing.

Other areas of interest

- Occupational health committees (OHCs)
- Contacting OHS
- Conducting an investigation
- Summary offence tickets

Occupational Health Committee

- Under the *SEA 3-22* if you have 10 or more workers, you are required to have an occupational health committee (OHC).
- Committees are responsible for participating in identifying and controlling hazards, helping identify and resolving health and safety concerns of workers, inspecting the workplace regularly and meeting to discuss OH&S concerns.
- If you need to form a committee refer to Part 4 of *The Occupational Health and Safety Regulations, 2020*.

When are you required to contact the OHS Branch?

- You will need to contact the branch to provide 'notice requirements' in the following instances:
 - Accidents causing serious bodily harm or death – Section 2-2 of *The Occupational Health and Safety Regulations, 2020*.
 - Dangerous Occurrences – Section 2-3 of *The Occupational Health and Safety Regulations, 2020*
 - Contact with an electrical conductor
 - Collapse or cave-in of a trench
 - Uncontrolled spill or escape of a toxic, corrosive or explosive substance
 - Failure of a crane or hoist or the overturning of a crane or unit of powered mobile equipment

When do you need to investigate?

- Reg 3-18 of *The Occupational Health and Safety Regulations, 2020* requires an employer to conduct an investigation of every incident that causes or may cause the death of a worker or requires a worker to be admitted to a hospital as an in-patient for a period of 24 hours or more.
- Reg 3-20 of *The Occupational Health and Safety Regulations, 2020* requires an employer to investigate dangerous occurrences.

Summary Offence Tickets

- A Summary Offence Ticket (SOT) is a ticket issued by a designated Occupational Health Officer. The Ministry of Labour Relations and Workplace Safety and the Ministry of Justice have created summary offence tickets for certain occupational health and safety violations.
- There are 12 ticketable offences. Offences include failure to comply with fall protection, unsafe excavations/trenches, personal protective equipment, safeguards, submission of progress report requirements and submission of information requested by the Director.
- Fines range from \$250 to \$1,000 depending on the offence.

Summary Offence Tickets Con't

- Who can be ticketed?
- Employers, contractors, owners, self-employed persons, suppliers and workers can be ticketed.
- When will a ticket be issued?
- Officers will assess the severity of the situation and try to use other tools – such as Compliance Undertakings, Officer's Reports, Notice of Contraventions and Stop Work Orders – before issuing a ticket.
- In high risk situations (immediately dangerous to life and health), especially those involving fall protection and trenches, an Officer may issue a ticket before using other tools.

Applicable Legislation

- The previous topics are **not** all inclusive, there are additional sections which apply to your specific workplace. It is up to the employer to ensure all pieces of legislation are complied with and workers are trained.

Summary

- Who we are and the legislation we enforce
- Definitions
- Inspections
- Regulations
- Other areas of interest – OHC, Summary offence tickets

Resources

- WorkSafe Saskatchewan
<https://www.worksafesask.ca>
- *The Saskatchewan Employment Act (SEA) and The Occupational Health and Safety Regulations, 2020 (OHS)*
<https://publications.saskatchewan.ca/#/products/4355>

Occupational Health and Safety

Questions?

saskatchewan.ca