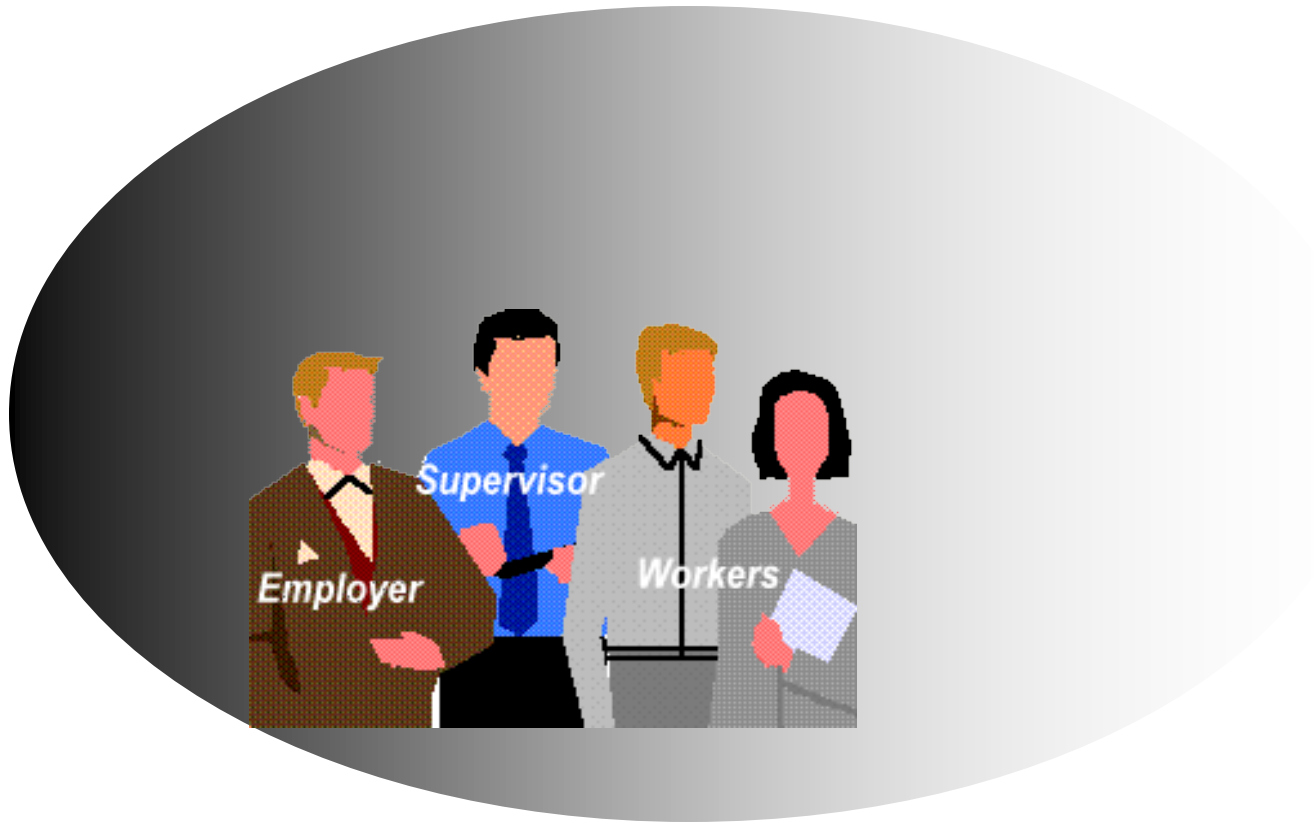


Responsibilities for OH&S



Injuries and Claims

In B.C. there were (2011):

- **Injuries reported** **141,559**
- **Claims accepted** **103,940**
- **Fatal claims accepted** **142**
- **Occupational disease claims** **3,360**
- **Days lost from work** **2.9 M**

Learning Objectives

- Identify the legal responsibilities of employers, supervisors, workers and others
- Identify WorkSafeBC prevention services that help employers and workers to fulfill their H&S responsibilities
- Explain the individual right / responsibility to refuse unsafe work and the right to be protected from H&S discrimination

Legal Responsibilities

- **Employers**
- **Workers**
- **Owners**
- **Suppliers**
- **Corp. Directors & Officers**
- **Prime contractors**
- **Supervisors**
- **Joint H&S committee or H&S Worker Representative**

WES Division Mission Statement

- Champion safe and healthy workplaces
- Save lives and prevent injury and disability
- Deliver outstanding service to workers and employers

Regional Services - Officers

- **Education and Consultation**
- **Accident Investigations**
- **Inspections**
- **Enforcement**

Prevention Enforcement Options

Board officers may

- **Issue an order**
- **Write an inspection report**
- **Recommend to the board to**
 - ↪ **Issue a warning letter**
 - ↪ **Apply administrative penalty**
 - ↪ **Charge claims cost**
 - ↪ **Prosecute**

Other WES Services

- Services for specific high risk industries or industries with high claims costs
 - ↪ Construction
 - ↪ Heavy manufacturing
 - ↪ Forest products mfg
 - ↪ Healthcare
 - ↪ Hospitality and retail
 - ↪ Oil & Gas
- First aid, ergonomics, hearing conservation & occupational disease prevention
- Certification Services
- Publications and Resources

Role of the Committee

- To promote safe work practices
- To assist in creating a safe and healthy workplace
- To recommend actions which will improve the effectiveness of the OH&S program and
- To promote compliance with WCB Regulation

Committee Size

Depends on the following:

- Degree of hazard in the workplace
- Number of employees
- Number of departments
- Number of places of employment
- Number of unions or worker groups
- Need to represent different shifts

Co-Chair

The co-chairs' major responsibilities are

- To control meetings
- To maintain an unbiased view point
- To review previous meeting reports and material (minutes)
- Prepare the agenda
- Record the committee activities
- Circulate and post the meeting reports
- Send out meeting notices

Worker H&S Representatives

➤ Requirements

- ↪ Where more than 9 but fewer than 20 workers are regularly employed
- ↪ When ordered by the board

➤ Selection

- ↪ Same as a joint committee worker member

➤ Duties & Entitlements

- ↪ Same as a joint committee where practicable

Functions and Duties

- **Create a safe workplace**
- **Promote compliance with health and safety requirements**
- **Consult**
- **Advise**
- **Identify unhealthy/unsafe situations**
- **Make recommendations**
- **Participate in inspections and accident investigations**
- **Meet regularly and prepare reports**

Other Duties

OH&S Regulation

➤ **Section 3.8**

➤ **Section 3.12(4)**

➤ **Section 4.21(5)**

Inspections

Refusal of Unsafe Work

Working Alone or in Isolation

Committee Terms of Reference

- **Purpose statement**
- **Composition**
- **Duties & functions**
- **Selection procedures**
- **Quorum & attendance**
- **Order of business**

Committee Terms of Reference – *con't*

- **Scope of representation**
- **Number of members**
- **Term of office**
- **Frequency of meetings**
- **Special meetings**
- **Records**

Activities of the Committee

Important tasks members do outside the regular meetings:

- **Make sure work areas are inspected for H&S hazards**
- **Make sure accidents/incidents are reported & investigated**
- **Investigate complaints or refusals to work due to real or perceived hazards**

Jurisdiction

Employer Representative 1	Employer Representative 2	Worker Representative 1	Worker Representative 2
Jane Ko	Gary Smith	Karminder Singh	Rhonda Markovich
Purchasing Department	Parking Lot	Reception Area	Warehouse
Shipping/Receiving Department	Executive Offices	Works Yard	Security Department

Refusal of Unsafe Work

OH&S Regulation: Section 3.12

- **Right to refuse work when a person has reasonable cause to believe that doing the work would create an undue hazard to the health and safety of any person**

Procedure for Refusal

- **Exact procedures as stated in section 3.12 (2) - (5) must be followed.**
- **Worker shall not be subject to discriminatory action if acting under this requirement.**

Protection from H&S Discrimination

- Workers exercising their rights under the Act are protected from discriminatory action.
- Workers can make discriminatory complaints to the WorkSafeBC.
- The WorkSafeBC has the power to inquire, order discrimination be stopped, and order remedy be made to worker.

Records and Statistics

- **Statistics analyze records in a meaningful way**
 - ↪ **Total no. of incidents/injuries for a given period of time**
 - ↪ **Average cost per injury**
 - ↪ **Total and average no. of days lost per claim**
 - ↪ **How often and how severe injuries/illnesses**

What Records Must be Kept?

- **First aid records**
- **Incident investigation records**
- **The Employer's Report of Injury or Occupational Disease**
- **Others:**
 - **Workplace inspections**
 - **Education & training**
 - **Exposure monitoring**
 - **Risk assessments**
 - **Hearing tests etc**

Most Useful Stats

- **Frequency – how often**
- **Severity – how serious**

Statistics that are Useful to Measure

Dangerous Occurrence Or near miss incident	Near miss; no worker involved (e.g. structural collapse, toxic substance release)
Report only (First Aid)	Cases reported to first aid attendant, no time loss, no medical attention sought
Health care only	Person received medical attention, no time loss (WorkSafeBC claim)
Short term disability (STD)	Time loss from work-WorkSafeBC claim (worker sought medical attention and missed time from work)
Fatal	Death occurred

Basic Statistics

- **Usually more detailed & meaningful than counts of injuries or diseases**
- **Injury rates express various measures of injury and illness**
- **Payroll records can be used to determine**
 - ↪ **How many workdays were lost last year from injuries on the job?**
 - ↪ **How many paid hrs. were worked for the year?**
 - ↪ **How many employees were there this year compared to the previous year?**

Calculating Rates

Example A

$$\text{Incidence Rate} = \frac{\text{Annual total number of work injuries}}{\text{Number of employees}}$$

Example B

$$\text{Injury Rate} = \frac{\text{Number of STDs X 100}}{\text{Number of FTEs}}$$

Calculating Rates - cont.

Example C

These frequency and severity rate calculations are commonly used in the United States and Canada

$$\text{Frequency Rate} = \frac{\text{Number of Time Loss Injuries X 200,000}}{\text{Person-hours worked}}$$

$$\text{Severity Rate} = \frac{\text{Days Lost X 200,000}}{\text{Person-hours worked}}$$

Note. 200,000 = 100 person plant X 40 hours (work week) X 50 weeks per year


Committee Recommendation

- **Option 1 – Deal with the Issue Immediately**
- **Option 2 – Create a Recommendation**

Formal Recommendation

- **Policy, directive or procedure creation or revision.**
- **Changes to equipment, office layouts or product purchasing**
- **Training or orientation**
- **Commitment and follow-up to issues**
- **Matters which require review and/or agreement**

Recommendation Guidelines

- 1. Who Can Take Action**
- 2. Send From Co-Chairs**
- 3. Request Employer Response**
- 4. Describe OH&S Issue**
- 5. Committee Recommendation**
 -  **Complex Issues**
- 6. Appropriate Manager**
- 7. Space for Employer Response**
- 8. Space for Committee Comments**

Communication

- **Important channel for employee input**
- **Try to tackle smaller issues first**
- **Minutes prepared promptly & posted in a conspicuous place**
- **Report back to employees**
- **Report proceedings to management**

An Effective Committee

- Action should be taken promptly and results posted throughout the place of employment
- Important that members do not attempt to bypass normal employer channels of supervision or control
- Should establish procedures for self-monitoring

Employer's Role

- Fewer incidents, accidents and injuries – can directly affect a company's profits
- Employees will be more productive and safe
- Assessment costs can be reduced

Factors for Committee Success

- Strong employer commitment to health and safety in the workplace
- Well trained and committed committee members
 - ↳ Knowledgeable & capable
 - ↳ Having good communication and problem solving skills
- An interested and involved workforce

Responsibilities for Health and Safety

**“I wondered why somebody didn’t
do something. Then I realized I was
that somebody”**