

# APPENDICES

## CONTENTS

Section 13 of the <i>Saskatchewan Occupational Health and Safety Act, 1993</i> – Duty to provide occupational health and safety programs .....	149
Section 22 of the <i>Saskatchewan Occupational Health and Safety Regulations, 1996</i> – Occupational health and safety program.....	150
Section 29 of the <i>Saskatchewan Occupational Health and Safety Regulations, 1996</i> – Investigation of certain accidents .....	152
Section 30 of the <i>Saskatchewan Occupational Health and Safety Regulations, 1996</i> – Prohibition re scene of accident .....	153
Section 31 of the <i>Saskatchewan Occupational Health and Safety Regulations, 1996</i> – Investigation of dangerous occurrences.....	154
Table 7 in the Appendix of the <i>Saskatchewan Occupational Health and Safety Regulations, 1996</i> – Prescribed places of employment .....	155



## **Section 13 of the *Saskatchewan Occupational Health and Safety Act, 1993***

### **Duty to provide occupational health and safety programs**

- 13(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.
- (2) An occupational health and safety program must be established and designed in consultation with:
- (a) the occupational health committee;
  - (b) the occupational health and safety representative; or
  - (c) the workers, where there is no occupational health committee and no occupational health and safety representative.
- (3) An occupational health and safety program must include all documents, information and matters that are prescribed in the regulations.
- (4) An occupational health and safety program must be in writing and must be made available to the occupational health committee, the occupational health and safety representative, the workers, or an occupational health officer on request.
- (5) Where the work at a place of employment is carried on pursuant to contracts between a contractor and two or more employers, the contractor shall co-ordinate the occupational health and safety programs of all employers at the place of employment.
- (6) The director may order an employer or prime contractor to develop an occupational health and safety program for a place of employment if the director considers it to be in the interests of the health, safety, and welfare of the employer's or prime contractor's workers based on the criteria set out in subsection (8).
- (7) An order issued pursuant to subsection (6) must be in writing.
- (8) In making an order pursuant to subsection (6) the director shall consider the following criteria:
- (a) The frequency of occupationally related injuries and illnesses at the place of employment.
  - (b) The number and nature of the notices of contravention relating to the place of employment and the history of compliance with those orders and with compliance undertakings.
  - (c) Any additional criteria that the director considers appropriate to protect the health, safety and welfare of workers.

## **Section 22 of the *Saskatchewan Occupational Health and Safety Regulations, 1996***

### **Occupational health and safety program**

22(1) Subject to subsection (2), an occupational health and safety program required by section 13 of the Act<sup>1</sup> 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, where 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 23 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 23 of the Act; and
- (j) a procedure to review and, where necessary, revise the occupational health and safety program at specified intervals that are not greater than three years and whenever there is a change of circumstances that may affect the health or safety of workers.

<sup>1</sup> The *Saskatchewan Occupational Health and Safety Act, 1993*

- (2) On and after January 1, 1998, the places of employment set out in Table 7 of the Appendix with 10 or more workers are prescribed for the purposes of section 13 of the Act.
- (3) An employer at a place of employment mentioned in subsection (2) shall establish an occupational health and safety program that meets the requirements of subsection (1) not later than:
- (a) in a place of employment with 100 or more workers, January 1, 1998;
  - (b) in a place of employment with 21 or more workers but not more than 99 workers, January 1, 1999; and
  - (c) in a place of employment with 10 or more workers but not more than 20 workers, January 1, 2000.

## **Section 29 of the Saskatchewan Occupational Health and Safety Regulations, 1996**

### **Investigation of certain accidents**

29(1) Subject to section 30, an employer shall ensure that every accident that causes or may cause the death of a worker or that requires a worker to be admitted to a hospital as an in-patient for a period of 24 hours or more is investigated as soon as is reasonably possible by:

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

(2) After the investigation of an accident, an employer, in consultation with the co-chairpersons or their designates, or with the representative, shall prepare a written report that includes:

- (a) a description of the accident;
- (b) any graphics, photographs or other evidence that may assist in determining the cause or causes of the accident;
- (c) an explanation of the cause or causes of the accident;
- (d) the immediate corrective action taken; and
- (e) any long-term action that will be taken to prevent the occurrence of a similar accident or the reasons for not taking action.

## **Section 30 of the *Saskatchewan Occupational Health and Safety Regulations, 1996***

### **Prohibition re scene of accident**

- 30(1) Unless expressly authorized by statute or by subsection (2), no person shall, except for the purpose of saving life or relieving human suffering, interfere with, destroy, carry away or alter the position of any wreckage, article, document or thing at the scene of or connected with an accident causing a death until an officer has completed an investigation of the circumstances surrounding the accident.
- (2) Where an accident causing a death occurs and an officer is not able to complete an investigation of the circumstances surrounding the accident, an officer may, unless prohibited by statute, grant permission to move the wreckage, articles and things at the scene or connected with the accident to any extent that may be necessary to allow the work to proceed, if:
- (a) graphics, photographs or other evidence showing details at the scene of the accident are made before the officer grants permission; and
  - (b) the co-chairpersons of a committee or the representative for the place of employment at which the accident occurred or their designates have inspected the site of the accident and agreed that the wreckage, article or thing may be moved.

## **Section 31 of the *Saskatchewan Occupational Health and Safety Regulations, 1996***

### **Investigation of dangerous occurrences**

31(1) An employer, contractor or owner shall ensure that every dangerous occurrence described in subsection 9(1) is investigated as soon as is reasonably possible by:

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

(2) After the investigation of a dangerous occurrence, an employer, contractor or owner, in consultation with the co-chairpersons or their designates or with the representative, shall prepare a written report that includes:

- (a) a description of the dangerous occurrence;
- (b) any graphics, photographs or other evidence that may assist in determining the cause or causes of the dangerous occurrence;
- (c) an explanation of the cause or causes of the dangerous occurrence;
- (d) the immediate corrective action taken; and
- (e) any long-term action that will be taken to prevent the occurrence of a similar dangerous occurrence or the reasons for not taking action.

**Table 7 in the Appendix of the *Saskatchewan Occupational Health and Safety Regulations, 1996***

**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) auto body and automotive paint repairing, bumper electroplating, auto rust proofing, auto glass installation, auto vinyl roofing, fibre-glassing 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) oil well 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; and
- (n) wholesale baking, dairy products, soft drinks and food preparation and packaging.