



# Occupational Health Committee

Level 2

Learner handbook



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## **Please note**

This publication does not replace the legislation. Please use the original legislation to find out exactly what requirements apply to your business.

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### Land acknowledgement

The Saskatchewan Worker's Compensation Board and its WorkSafe partners acknowledge that they operate within Treaties 2, 4, 5, 6, 8 and 10. These lands are home to and are traditional meeting grounds for many Indigenous peoples, including Plains Cree (Nêhiyawak), Saulteaux (Nahkawiniwak), Nakota (Assiniboine), Dakota and Lakota (Sioux), Denesuline (Dene/Chipewyan) and are also homeland to the Métis Nation.

We respect the Treaties that were made on all territories, and we are committed to moving forward in partnership with Indigenous Nations in the spirit of reconciliation and collaboration.

### Diversity and inclusion statement

The Saskatchewan Workers' Compensation Board and its WorkSafe partners believe and work towards creating, preserving and encouraging a diverse and inclusive environment within the workplace and surrounding communities. We value both diversity and inclusion as a strength and work to unbiasedly support and respect all individuals. It is the belief of our establishment that all people deserve a healthy and safe work environment that ensures everyone's personal well-being. We believe that respecting diverse cultures and people with visible and non-visible disabilities can strengthen our community and create a healthier and safer world.

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# Welcome to occupational health committee level 2

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As discovered in the Occupational Health Committee Level 1 course, the occupational health committee (OHC) plays a huge role in ensuring an effective health and safety system. Two of the major roles for the OHC committee are to conduct inspections and take part in workplace investigations.

OHCs and representatives support employers and workers and collaborate to identify, resolve and improve health and safety matters.

This course will go into greater depth of the OHC's role in inspections and workplace investigations.

Topics include how to information on conducting inspections, interpreting the results of inspections, and implementing corrective actions. Participation in workplace investigations and how to develop workplace investigation reports is also discussed. Inspections and workplace investigations go hand in hand. Inspections are a proactive measure intended to prevent workplace incidents, and incident investigations are intended to find root causes to prevent further incidents.

### This introduction will:

- ✓ Explain the history of WorkSafe Saskatchewan and legislation.
- ✓ Review legislation and citing.
- ✓ Introduce workplace inspections and incident investigations.
- ✓ Detail the contents of this course.

WorkSafe Saskatchewan was created from a partnership between the Saskatchewan Workers' Compensation Board and the Ministry of Labour Relations and Workplace Safety (the Ministry of Labour Relations and Workplace Safety) in 2002. This partnership was established to focus on eliminating occupational injury and illness in the province.

To promote the elimination and prevention of occupational injury and disease, WorkSafe Saskatchewan uses a foundational pillar approach, which includes awareness, education, targeting/consulting, partnerships and enforcement.

### The foundational pillars are:



Since Occupational Health Committee Level 1 (OHC 1) taught how to navigate, cite and apply legislation, this course, Occupational Health Committee (OHC) Level 2, focuses on how to practice OHC inspections and investigations.

### Legislation review

#### ***The Saskatchewan Employment Act***

To provide a framework with general duties and responsibilities

Part III (Some workplaces use Parts IV and V)

TOC, 14 Divisions

Preliminary Matters for Part

#### ***The Occupational Health and Safety Regulations, 2020***

To provide detailed supporting instruction

Entire book

TOC, 34 Parts, Appendix

Preliminary Matters

Sections organized in numerical order (3-8, 3-9, .....)

Start at the Table of Contents (TOC) in both

## When citing legislation, you must include three pieces of information:

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

For example, the citation for the Investigation of certain accidents would look like this:

Section 3-18(1) of the Regulations, *Investigation of certain accidents*

Under OHS legislation, some workplaces are required to have a health and safety program. These workplaces are called prescribed places of employment.

Inherent in a health and safety program is the duty to conduct workplace inspections. As a review, these duties are explained in the Act and the Regulations.

The Act states that the employer shall consult the OHC or representative when designing a health and safety program.

The Regulations state specifically what an employer must include in that program.

An employer at a prescribed place of employment shall establish and maintain an occupational health and safety program.

Section 3-20 of the Act, *Duty to provide occupational health and safety programs*

Workplace inspections and investigations are legislated components of an employers safety program.

Section 3-11(1)(e,h,i) of the Regulations, *Occupational health and safety program*

Appendix Table 7 of the Regulations, *Prescribed Places of Employment*

## OHCs and representatives have a duty to:

- Help the employer identify and control hazards
- Inspect the workplace at reasonable intervals

Under Section 3-27 of the Act, *Duties of committees*, subsection (1)(a), OHCs have a duty to help the employer identify and control hazards in the workplace.

Under Section 3-28 of the Act, *Duties of representatives*, subsection (1) (a), a representative has a duty to help the employer identify and control hazards.

Under Section 3-17 of the Regulations, *Inspection of place of employment*, OHCs and representatives have a duty to inspect the workplace at reasonable intervals.

## Under legislation, the OHC and a representative have a duty to investigate:

- A worker's refusal
- Certain accidents
- Dangerous occurrences

Section 3-31 of the Act, *Right to refuse dangerous work*, states the OHC has a duty to investigate a worker's refusal to do work they reasonably consider to be dangerous.

**NOTE: A representative is not required to investigate work refusals.**

Section 3-18 of the Regulations, *Investigation of certain accidents*, explains the OHC's (or the representative's) duty to investigate certain accidents.

Section 3-20, *Investigation of dangerous occurrences*, explains that the OHC (or the representative) also has a duty to investigate dangerous occurrences as soon as reasonably possible.

### Both activities help to:

Identify health and safety concerns.

Help prevent future incidents and dangerous occurrences.



### Introduction: Welcome to Occupational health committee (OHC) Level 2

- Review the history of WorkSafe
- Review how to navigate and cite legislation
- Explain why are we taking this course



### Module one: Introduction to inspections

- Review and define the types of inspections
- Explain the employer's and OHC inspection duties
- Review how the employer assists the OHC inspections.



### Module two: Planning an occupational health committee (OHC) inspection

- How to plan the OHC inspection
- Determine what to inspect
- Review hazard identification, risk assessment, and hazard control



### Module three: Preparing for an OHC inspection

- Develop an inspection checklist
- Pre-inspection activities
- Communication during the OHC inspection



### Module four: Managing inspection results

- Recording the inspection
- Writing recommendations
- Communicating results
- Reviewing the inspection system



### Module five: Introduction to investigations

- Define an investigation
- Describe what incidents require investigation
- Review the roles in an investigation
- Review employers duty to provide notice to the ministry.

### Module six: Conduct investigations

- Review the investigation process
- Collect evidence
- Conduct witness interviews

### Module seven: Analyze evidence and determine incident causes

- Five factors model of incident causation
- Determining causes
- 5 Why's technique to determine root cause

### Module eight: Complete an investigation report

- Contents of an investigation report
- Developing recommendations for corrective action
- Follow up actions

### Module nine: How to investigate a work refusal

- The right to refuse dangerous work
- Refusal steps
- Reassignments

### Acronyms

ACGIH	American Conference of Governmental Industrial Hygienists	NFPA	National Fire Protection Association
CCOHS	Canadian Centre for Occupational Health and Safety	NIOSH	National Institute for Occupational Health and Safety
CSA	Canadian Standards Association	OHC	Occupational health committee
CTDs	Cumulative trauma disorders	OHS	Occupational health and safety
FLRA	Field level risk assessments	PPE	Personal protective equipment
ISO	International organization for standardization	SEA	Saskatchewan Employment Act
The Ministry	Ministry of Labour Relations and Workplace Safety	SMART	Specific measurable attainable realistic time-bound

### Definitions

**Competent:** means possessing knowledge, experience and training to perform a specific duty.

**Confidential information:** information about a person, that is legally protected and may not be disclosed to a third party. Protected information includes, but is not limited to, medical diagnosis, medical treatment(s) and prescription(s), employee files, personal information and documented forms that are lifted as such.

**Contractor:** a person who, or partnership or group of persons that, directs the activities of one or more employers or self-employed persons, or retains an employer or self-employed person to perform work at a place of employment.

**Corrective action:** is a method used to meet the need for change or correction to the non-conformity that was found during an inspection or incident investigation. This is often a written process and uses a set of controls to manage the hazard or issue.

**Direct cause:** what directly led to the incident, such as an unsafe work practice or an equipment failure.

**Due diligence:** a person has a legal duty to take every precaution reasonable given the circumstances to avoid both harm and an offence against the law. It is an extremely high standard to take reasonable care. In context with the legislation, the following principles encompass due diligence:

**General duties:** the Act imposes a duty on everyone in the workplace to take reasonable care of their health and safety and that of others, to the degree that they have the authority and ability to do so. This general duty is in addition to and goes far beyond complying with the law.

**Regulatory compliance:** if someone is charged with contravening the legislation, they cannot defend themselves successfully by claiming that they did not intend to break the law or comply. To defend themselves adequately, a person must be able to show that they took every reasonably practicable action to ensure compliance.

**Reasonably practicable:** a person must show that they took every possible precaution, unless they can show the benefits of taking the precaution are greatly exceeded by

the cost in time, trouble and money. The greater the risk, the greater the health and safety measures required.

**Proactive:** due diligence requires a proactive and systematic approach to health and safety. Implement a health and safety program that:

- Identifies hazards;
- Assesses the risks associated with those hazards;
- Implements measures to eliminate or minimize those risks; and
- Monitors each part of the program to ensure it adequate and efficient.

Employers must develop and implement this plan in consultation with their workers. Workers must comply with the program to the extent that they have the knowledge, authority and ability to do so.

**Employer:** a person, firm, association or body that has one or more workers in connection with the operation of a place of employment.

**Employees:** supervisors and workers.

**Expose:** harmful contact through inhalation, ingestion or absorption through skin.

**Hazard:** any activity, situation or substance that can cause harm. Occupational hazards are divided into two broad categories: health hazards and safety hazards. Generally, health hazards cause occupational illnesses, such as noise induced hearing loss (NIHL). Safety hazards cause physical harm, such as cuts and broken bones. Hazards exist in all workplaces.

**Hazardous:** likely to cause harm or injury in certain circumstances.

**Incident:** any unplanned, unwanted event that may or may not cause injury, illness or damage. The terms accident and incident are often used interchangeably, but the preferred term is incident. It is Mission: Zero's belief that all incidents are predictable and as such preventable. Therefore, there is no such thing as accidents, only incidents.

**Indirect causes:** the working conditions that set the stage for an incident, such as inadequate training or detailed procedures.

**Infectious material or organism:** an infectious material or organism means an infectious material or organism that has been identified in an approved manner as an infectious disease hazard that poses a significantly increased exposure risk to a worker or self employed person.

**Inspection:** an examination of a workplace, selected work area or particular hazards, machinery, tools, equipment and work practices. Findings are compared to applicable standards and best practices.

**Occupational illness:** a condition, caused by health hazards, that results from exposure to a chemical or biological substance, a physical agent (an energy source such as noise) or other stressors (such as harassment and work demands) capable of causing harm. The time that it takes an illness to develop after exposure to a health hazard is called the “latency period.”

**Owner:** a trustee, receiver, mortgagee in possession, tenant, lessee or occupier of any lands or premises used, or to be used as a place of employment. A person who acts as an agent or delegate for or on behalf of one of these people is considered an owner.

**Plant:** any premise, site, land, mine, water, structure, fixture or equipment employed or used in the carrying on of an occupation.

**Probability:** the chance that a hazard will cause harm. In risk management systems, probability is sometimes categorized as:

- Frequent (workers are frequently at risk);
- Probable (the hazard is likely to cause harm);
- Occasional (workers are occasionally at risk);
- Remote (the hazard could cause harm, but is very unlikely to do so); and
- Improbable (the hazard is unlikely to ever cause harm).

**Reasonably practicable:** 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 (Section 3-1(1)(z) of the Act).

**Risk:** the odds that a hazard will cause harm. It refers to the probability and severity of potential incidents and dangerous occurrences (near misses). Risk management is a technique used to identify and control risk caused by hazards.

**Risk analysis:** the combination of identifying hazards and assessing their risk is called risk analysis. Risk analysis can help OHC members and the employer to set priorities. Risk is calculated by using the formula:

**Risk = probability x severity:** several commercial systems assign mathematical values to probability and severity to help calculate risk ratios for hazards. Normally, hazards with the highest risk that affect the most workers should receive the greatest attention.

**Severity:** the seriousness of the harm that could result from contact with a hazard. Sometimes, it is described as:

- Catastrophic (death and/or severe destruction);
- Critical (serious injury and/or property damage);
- Marginal (minor injury and/or property damage); or
- Negligible (no injury and/or property damage).

**Root causes:** the fundamental non-conformances that created the working conditions leading to an incident (like inadequate training) that may indicate defects in the employer’s health and safety management system.

**Self-employed persons:** a person who is engaged in an occupation but is not in the service of an employer. Examples: Self-employed tradespeople and consultants under contract.

**Supervisor:** an individual who is authorized by an employer to oversee or direct the work of workers.

**Supplier:** a person who supplies, sells, offers or exposes for sale, leases, distributes or installs any plant, biological or chemical substance used at the place of employment.

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



# Module one

## Introduction to inspections

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An inspection is a well thought out, purposeful examination that identifies and helps correct threats to the health and safety of workers. OHS suggests that workplaces with effective inspection systems are more likely to avoid incidents. Employers who

encourage effective inspections (by OHCs, representatives, workers and supervisors) often make their workplaces safer, healthier and happier. These employers also avoid many of the costs associated with undetected health and safety problems.

An inspection is a walkthrough or examination of:

- the entire workplace
- selected work area(s)
- specific hazard(s)
- work practices
- machinery, tools, equipment

### **This module will:**

- ✓ Define the purpose of inspections.
- ✓ Explain the benefits of inspections.
- ✓ Differentiate between employer and OHC inspections.
- ✓ Identify the three types of OHC inspections.



This is why *The Occupational Health and Safety Regulations, 2020*, requires the employer to perform a regular examination of the plant, workplace tools and technologies and to help OHCs and representatives regularly inspect the workplace. The purpose of inspections by OHCs and representatives is to monitor the effectiveness of the employer's health and safety management system and recommend improvements.

This module will describe the purpose of the employer's, the OHC's and the representatives legislative duties to conduct inspections.

In an Adobe Reader search of the Act and the Regulations, the words "examination" and "inspection" appear over 80 times.

The majority of these refer to the employer's duty to inspect.

### Inspection

An inspection is a walkthrough or examination of any of the following:

- The entire workplace
- Selected work areas
- Specific hazards
- Work practices
- Equipment, machinery, tools

### All inspections done by the employer and done by the OHC or representative have these common purposes:

- Identify hazards
- Compare current conditions with standards
- Determining if deficiencies exist
- Identifying causes for deficiencies
- Develop recommendations for corrective action

### NOT to ensure compliance with workplace safety rules

### NOT to do detailed technical checks

Effective inspections identify and correct deficiencies before something goes wrong.



In many workplaces, hazards can be overlooked when they become a daily part of a worker's day or when it's not considered a high-risk hazard. Ergonomic hazards such as back injuries, repetitive motion conditions or computer-related issues are more common than what are considered traditional industrial hazards. Inspections are one of the most effective tools that employers and workers have in identifying and correcting these problems.

### **Injuries and illness**

Injuries and illnesses resulting from a workplace incident have the greatest impact on all personnel involved and even greater on the injured. Money cannot measure the harm inflicted when incidents and illnesses occur. It is not only the workers, but also their families who are hurt both economically and emotionally.



## **Proactive benefits**

Just like there is a great deficit for reactive measures, there is a great benefit for being proactive. Proactive measures are items like completing inspections, communication and an effective health and safety system.

## **Incident prevention**

Proper inspections are one of the most effective tools for preventing injuries and illness. Good inspection systems gradually review all operations with special attention to the concerns of workers, high-hazard activities and work processes. Inspections also identify and encourage good health and safety practices.

Saskatchewan health and safety legislation requires employers, OHCs and worker health and safety representatives to conduct inspections regularly.

## **Savings**

Inspections can prevent occupational incidents and illnesses. Ultimately that means inspections save lives. Second to that, they help avoid the associated costs involved with incidents. Employers with effective inspection systems often provide healthier, safer and happier places to work.



Every workplace needs to have established standards for workplace equipment, tools, and processes.

Sometimes the standard is the minimum, which is in legislation.

Other times, a workplace may have an occupational health and safety program that may have higher standards.

The OHC or representative inspections do not replace inspections that are to be done by the employer.

Sometimes, the OHC inspections will see deficiencies that have been missed by the employer's inspections. In this way, OHC inspections complement those done by the employer.

**The employer must conduct regular inspections of the workplace.**

**Employer inspection duties:**

This includes inspecting the:

- facilities
- properties
- equipment
- tools
- technologies

**It is the employer's responsibility to correct deficiencies.**

- Employer inspections required by legislation shall be performed regularly.

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

- Employers shall ensure the plant is inspected.

Section 3-12 of the Regulations, *Examination of plant*

### What is the definition of “plant”?

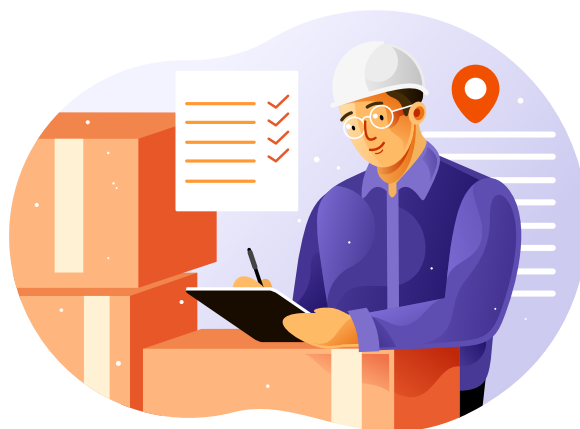
(w) “plant” includes any premises, site, land, mine, water, structure, fixture or equipment employed or used in the carrying on of an occupation.

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

It is a common misunderstanding that the word “plant” refers only to a physical building. Remember, a “plant” includes any premises or equipment that is used in the carrying on of employment, of a business or of a pursuit.

This would include something as simple as operating a lawn mower at a location on the other side of the city from the main office. The lawn mower would be the worker’s “plant.”

It is the employer’s duty to inspect all systems at the “plant.”



### Examples of inspections the employer must perform

Reg.	Section title	Description
3-12	Examination of plant	General inspection of workplace
3-17	Inspection of place of employment	Duty to support OHC and representative inspections
7-4	Inspection of respiratory protective devices	Duty to ensure respiratory device for emergency use is inspected by competent person
7-21	Inspection of full body harness, etc.	Inspect PPE for working at heights
11-3	Visual inspection	Inspect mobile equipment and surrounding area before starting
11-4	Inspection and maintenance	Competent person inspects mobile equipment
12-26	Maintenance and inspection	Only a competent person inspects scaffolds, aerial work platforms.
13-18	Inspection	Cranes, hoists, lifting devices inspected by competent person
14-3	Inspection	Rigging is inspected at appropriate intervals
23-7	Inspection	Employer shall ensure all friable asbestos-containing material is regularly inspected

### OHC inspections

OHC inspections are written documentation (that is, completed inspection checklists) that the OHC refers to when they recommend corrective actions

A duty of an occupational health committee is to *inspect* the workplace.

Section 3-17 of the Regulations, *Inspection of place of employment*

#### The OHC conducts inspections to:

- Identify hazards or problems missed or recorded by other inspections.
- Evaluate effectiveness of the existing safety management system.
- Discuss concerns with workers.
- Review records that the employer is required to inspect. Examples of records would include:
  - Log books
  - Crane log books
  - Pre-operational checklists
  - First Aid Registers
  - Lists of chemical and biological substances
  - Maintenance log books

There are different types of inspections that employers, OHCs and representatives are involved in. It is the employer's job to develop the inspection system and keep it running. The OHC or representative provide input and check the effectiveness of the system.

## Types of OHC inspections

### 1. Planned inspections

- Regular, scheduled OHC inspections.
- Have a predetermined who, what, and when.

Section 3-17 of Regulations, *Inspection of place of employment*

### 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.

Section 3-9 of the Regulations, *Workers' contacts with officers*

Legislation allows for an occupational health officer (officer) to conduct unscheduled workplace inspections at any workplace.

When an officer performs their inspection, an employer must allow the worker co-chairperson or the OHS representative to accompany that officer. If the worker co-chairperson is not available, an OHC worker member can accompany the officer.

This is an opportunity for the employer and the OHC to learn from an officer and gain clarification about legislative requirements.

### 3. Intermittent inspections

- Are unscheduled and occur as needed.

Examples:

- When new equipment is installed.
- When the workplace undergoes significant workplace changes, such as downsizing or expanding.
- After a project milestone.
- When an incident or dangerous occurrence has happened.
- When an occupational health officer issues a Notice of Contravention.
- After an investigation of a worker refusal to do dangerous work.
- As a follow-up to monitor the effectiveness of recommendations resulting from a worker refusal investigation.

### The employer can help the OHC be effective and efficient by:

#### 1. Providing access to the information needed to complete inspections

Section 3-16(2) of the Act, *Duty to provide information*

Examples of relevant information include (but is not limited to):

- Existing and potential controls.
- Work processes and procedures.
- Biological and chemical substances.
- Work environment monitoring results.
- Reports from consultants.
- Incident and dangerous occurrence investigation reports.
- Records that the employer is required by legislation to keep.

#### 2. Ensuring the OHC members are trained

Section 4-9 of the Regulations,  
*Training of representatives, committee members*

The employer should ensure that:

- OHC inspection teams are trained.
- Complex and hazardous technical inspections are completed by qualified persons.
- Professional advice is obtained from an engineer, hygienist, ergonomist, or other expert (where & when necessary).
- The OHC is consulted when external experts are used.

### OHC inspection training should include:

#### General knowledge such as:

- Legislation.
- The process to conduct inspections.
- How to identify hazards and assess risk.

#### Site-specific information such as:

- Workplace hazards and hazardous areas.
- Worker orientation and training necessary to work safely.
- Supplier recommendations.





Providing information and training to the OHC or representative is one of the most effective methods that the employer has of supporting its inspections.

As listed in Occupational Health Committee Level 1, both the employer and OHC members should be familiar with:

- The training and information needed to work safely.
- Work processes and work areas.
- Workplace hazards and hazardous areas.
- Applicable PPE and its limitations.
- Engineering controls in the workplace.
- Applicable health and safety standards and legislation.
- The recommendations of equipment and material suppliers.
- How to record information.
- How to report and deal with concerns.

Specific training requirements depend on the workplace. The employer:

- Provides information required by legislation.
- Provides general training.
- Provides workplace-specific training.

OHCs and representatives benefit from using the information provided to plan inspections, prepare checklists and check workplace programs, plans, policies and procedures.

Examples of OHC/representative and employer roles during inspections		
Inspection	OHC/representative	Employer
<p>Check vehicles, tools, machinery, equipment and PPE before use, or after repair by trained workers and supervisors.</p>	<ul style="list-style-type: none"> <li>• Check to see that these inspections are effective.</li> <li>• Ask workers and supervisors about their concerns.</li> </ul>	<ul style="list-style-type: none"> <li>• Arrange for development of inventories of critical parts and items.</li> <li>• Identify hazardous conditions, work procedures, etc., to inspect.</li> <li>• Assign responsibilities to keep inventories current.</li> <li>• Organize inspections, assign responsibilities, accountabilities and resources.</li> <li>• Manage and maintain inspection systems.</li> <li>• May participate in inspections.</li> <li>• Discuss concerns with workers and OHC/representative and correct defects.</li> </ul>
<p>Regular preventative maintenance inspections</p> <ul style="list-style-type: none"> <li>• Helps prevent equipment and machinery failure through early detection by setting priorities for servicing, adjustment, repair or replacement.</li> </ul>	<ul style="list-style-type: none"> <li>• Review maintenance schedules and check to see they are up to date.</li> <li>• Observe work practices and ask workers and supervisors about their concerns.</li> </ul>	
<p>Hazard inspections of critical parts, materials and hazardous conditions</p> <ul style="list-style-type: none"> <li>• Focus on equipment, machinery, materials and structures that are more likely than others to cause incidents when worn, damaged or used improperly.</li> <li>• Review hazardous conditions and work practices.</li> <li>• Supervisors or specialists can conduct these inspections.</li> </ul>	<ul style="list-style-type: none"> <li>• Help employer identify critical parts and items, (including chemicals and biological substances) and hazardous conditions.</li> <li>• Prepare inventories.</li> <li>• Check to see inventories and work procedures are current.</li> </ul>	

Examples of OHC/representative and employer roles during inspections		
Inspection	OHC/representative	Employer
<p>Housekeeping inspections</p> <ul style="list-style-type: none"> <li>• Prevents many incidents.</li> <li>• Performed frequently by workers, maintenance personnel and supervisors.</li> <li>• Focus on cleanliness and orderliness of each work area.</li> </ul>	<ul style="list-style-type: none"> <li>• Check to see that inspections are effective.</li> <li>• Ask workers and supervisors about their concerns.</li> </ul>	
<p>Planned general inspections of the workplace</p> <ul style="list-style-type: none"> <li>• Comprehensively examine the entire workplace.</li> <li>• Draw attention to good health and safety practices.</li> <li>• Identify potential problems before incidents happen.</li> <li>• Performed monthly or quarterly.</li> <li>• More frequently in moderate to high hazard workplaces or during times of rapid workplace change.</li> </ul>	<ul style="list-style-type: none"> <li>• Check to see that inspections are effective.</li> <li>• Ask workers and supervisors about their concerns.</li> <li>• Carry out Section 3-17 of the Regulations inspections, report concerns and recommend corrective action.</li> <li>• Follow up to ensure corrective action is effective.</li> <li>• Identify hazards and advise employer about concerns.</li> <li>• Example: OHC/representative can monitor effectiveness of WHMIS training, availability and adequacy of safety data sheets, supplier labels, etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Arrange for development of inventories of critical parts and items.</li> <li>• Identify hazardous conditions, work procedures, etc., to inspect.</li> <li>• Assign responsibilities to keep inventories current.</li> <li>• Organize inspections, assign responsibilities, accountabilities and resources.</li> <li>• Manage and maintain inspection systems.</li> <li>• May participate in inspections.</li> <li>• Discuss concerns with workers and OHC/representative and correct defects.</li> </ul>
<p>Employer inspections</p> <ul style="list-style-type: none"> <li>• Reinforce importance of good health and safety practices, keep employer in touch with health and safety</li> <li>• Tours of areas specifically to focus on particular health and safety issues</li> </ul>	<ul style="list-style-type: none"> <li>• Help workers to communicate their concerns to employer</li> <li>• Recommend corrective action</li> <li>• Follow up to ensure corrective action is effective</li> </ul>	



1. Which of the following is NOT a reason for conducting OHC inspections?
  - a. Identify concerns that the employer's inspections may have missed.
  - b. Provide OHC members with the opportunity to discuss health and safety concerns with workers and supervisors.
  - c. Check the effectiveness of the employers health and safety system.
  - d. Run, complete and have authority over the inspection system.

2. List the three (3) types of OHC inspections:

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3. A planned inspection is:
  - a. random
  - b. scheduled
  - c. conducted by an occupational health officer
  - d. conducted only when new equipment is installed



When proactive measures are implemented, and potential incidents or illnesses are prevented, it is easy to see why inspections are important. Proactive benefits outweigh dealing with reactive issues.

The components of an inspection need to be reviewed, considered and applied in order to establish an inspection system. The OHC plays a crucial role in this inspection system by ensuring the effectiveness of the health and safety program.



# Module two

## Planning an OHC inspection

Learner handbook

**WorkSafe**<sup>TM</sup>  
SASKATCHEWAN

*Work to live.*



### This module will:

- ✓ Explain how to plan the inspection.
- ✓ Review the steps in the inspection process.
- ✓ Describe how to determine what to inspect.
- ✓ Review how to identify hazards and assess risks.

The employer develops the inspection system and keeps it running. The OHC or representative provides input and checks the effectiveness of the system. In the last module, we were introduced to the types of inspections. This module is designed to help OHCs, representatives and employers understand how to plan an OHC inspection and determine what to inspect.



Each person on the inspection team makes a difference on how successful the inspection will be. An employer can have an amazing system; however, the system is only as successful as the people who are conducting it. Effective inspections are the result of good planning. Every inspection must consider who will inspect, when to inspect and where to inspect.

## WHO completes the OHC inspection?

Each committee decides who will complete the inspection.

Legislation does not stipulate who on the OHC is to conduct inspections. In co-operation with the employer, each committee decides who will complete the inspection.

The size of the OHC, the size of the workplace facilities and the variety of business operations will determine what combination works best.

### Some options would include:

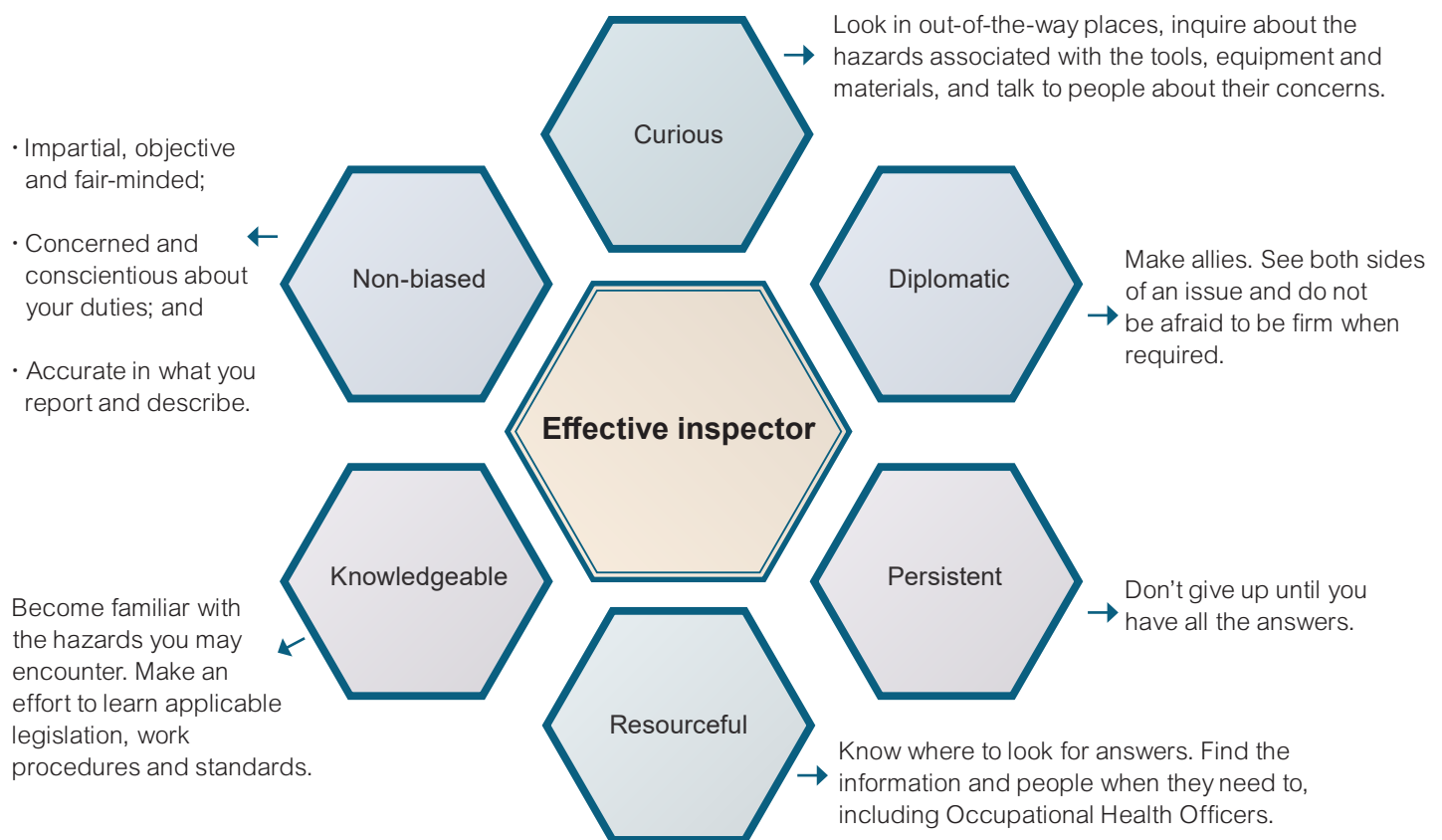
- The co-chairpersons
- The entire OHC
- Specific OHC members
- Subject matter specialists

### *How to be an effective inspector*

Serving as an OHC member or representative can seem like a challenge. However, remember that you are not the employer's safety officer. Your role is to hold a mirror to your workplace's safety systems and show the employer how things are going. One of the best ways to do this is by conducting inspections and discussing concerns.

### **Effective inspectors are:**

Give your inspections the same attention as you give your best work. This way you will strengthen your self-confidence and gain the trust of workers and supervisors.



# Plan the inspection

## WHEN are OHC inspections completed?

OHC inspections are scheduled at **reasonable intervals**.

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

What is reasonable depends on the size of the workplace and the level of hazards associated with the work operations.

Legislation states the employer “shall allow members of the committee or a representative to inspect a place of employment at reasonable intervals” but does not specify what those intervals are.

Since workplaces have a wide variety of operations, the employer and OHC collaborate to decide on inspection frequency.

Medium or high hazard workplaces should be inspected more frequently.

### Inspection schedule

Help the OHC or representative to develop an inspection schedule. Ensure the inspection team has the required resources and appropriate supervisors will support it.

The employer should schedule inspections frequently enough to find problems before they cause harm. The committee should arrange an inspection schedule with the employer to check the effectiveness of the employer’s efforts.

When planning how often to inspect, consider:

- Incident investigations, compensation claims and first aid reports.
- Hazards.
- Buildings, work areas (including storage rooms and travel ways), machinery, tools, equipment and production processes.
- Equipment manufacturer and supplier recommendations.
- Standards.
- Frequency of use.
- Introduction of new equipment, processes or people.
- Concerns identified on previous inspections.



Scheduling inspections depends on what type of inspection it is. In the case of inspections that OHCs or representatives complete it is recommended that workplace inspections are completed before each regularly scheduled meeting and any inspection items to be added to the agenda. Holding an OHC meeting shortly after an inspection facilitates discussion of both new concerns and the effectiveness of corrective action taken on past issues by the employer while memories are still fresh.

Representatives can inspect the workplace shortly before meeting with the employer.

It is important for the employer to create a schedule of inspection frequencies that meet the minimum regulation requirements.

### **WHERE is the OHC 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 accordingly.

This may include what items may be exposed to vibration, temperature variations, and general wear and tear.

#### **Consider:**

- How often are tools and equipment are used?
- What tasks do workers perform rarely, occasionally, frequently?
- What are the common or easy-to-access areas?
- Where are the out-of-the-way areas, such as parking lots, rest areas, storage areas?
- Which items are most likely to be affected by routine wear and tear, vibration or temperature extremes?

There are four main steps in the inspection process.

1. Determine what to inspect

2. Develop inspection checklist

3. Conduct inspection

4. Manage inspection results

### Step 1: Determine what to inspect

An inventory (equipment, materials) tells you what to inspect. A checklist tells you what to look for when you are inspecting each item in the inventory. The OHC can help the employer to prepare an inventory of what to inspect.

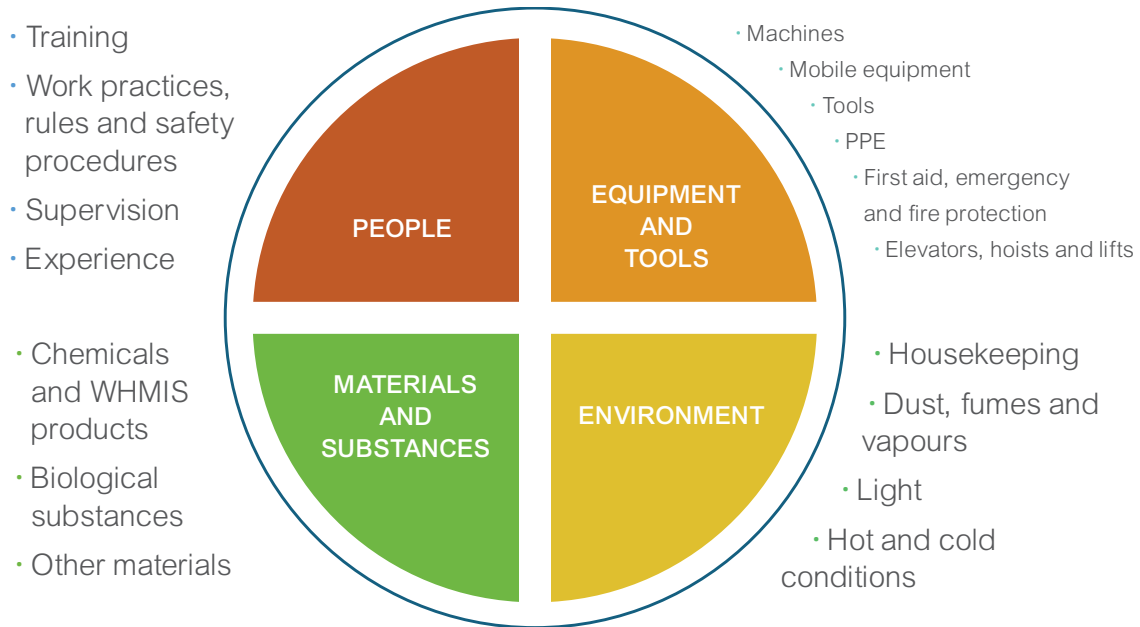
Prepare checklists using legislation, industry standards, equipment manuals and by interviewing experienced workers. Checklists should be updated regularly.

OHC inspectors must know exactly what to look for. Ensure checklists are precise. Clearly identify and describe what to inspect in each item and part.

Checklists for jobs that are rarely performed usually will be more detailed than checklists for jobs that are frequently inspected. Look beyond checklists and identify root causes of problems.

## What to inspect

Four categories should be inspected regularly:



### During the inspection ask the following questions:

- Will something cause slips, trips or falls?
- What might result in scalds, burns or cuts?
- Can a worker be caught in or struck by equipment?
- Is a worker working at heights?
- What is specific to your industry and work operations?



### Think about:

What are some other items that can be listed under these categories?

### Opportunity for input

Provide the OHC or representative with an opportunity for input. The OHC uses material to check the effectiveness of the employer's inspections, policies, procedures and programs.

### Identify how, where and when

Identify how, where and when workers could be exposed to the identified hazards.

Review inventories to determine potential hazard exposures. The OHC's job here is to provide input.

#### To identify potential exposures to hazards:

- Know what a hazard is.
- Prepare standards for evaluating conditions.
- Prepare inventories of critical parts, items, substances and hazardous conditions.
- Prepare checklists and inspection recording forms.
- Decide what areas and conditions to inspect.
- Plan how to check procedures, policies, programs and plans.



- Decide when to conduct inspections.
- Decide what resources inspectors need.

### Where to inspect

When considering where to inspect, it is important to remember that even the most unlikely spaces need to be inspected. It is the employer's responsibility to ensure that all facilities are accounted for in the inspection process. While some facilities might not have high-risk hazards, the low impact, long term ongoing tasks can be hazardous and without inspection can often go missed. OHCs can help employers by ensuring all regulatory requirements are met. Whether the facility is a shop, worksite or office there is always something to inspect.

Now that the OHC understands what to inspect, let's review how to identify hazards, assess the risks associated with those hazards and how to recommend effective 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.

#### **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

**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.**

Some examples of biological hazards would be:

- Human bodily fluids
- Airborne pathogens
- Stinging insects
- Laboratory cultures
- Sewage
- Poisonous plants
- Sharps waste
- Mold and fungi

**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

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

They can be measured with monitoring equipment.

Physical agent examples include:

- Noise
- Vibration
- Radiation
- Temperature
- Pressure

**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.

Ergonomics aligns the job requirement and the work environment to the worker.

The goal is to eliminate discomfort and risk of injury at work.

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

Psychosocial hazards include (but are not limited to):

- Workplace stress
- Harassment
- Violence

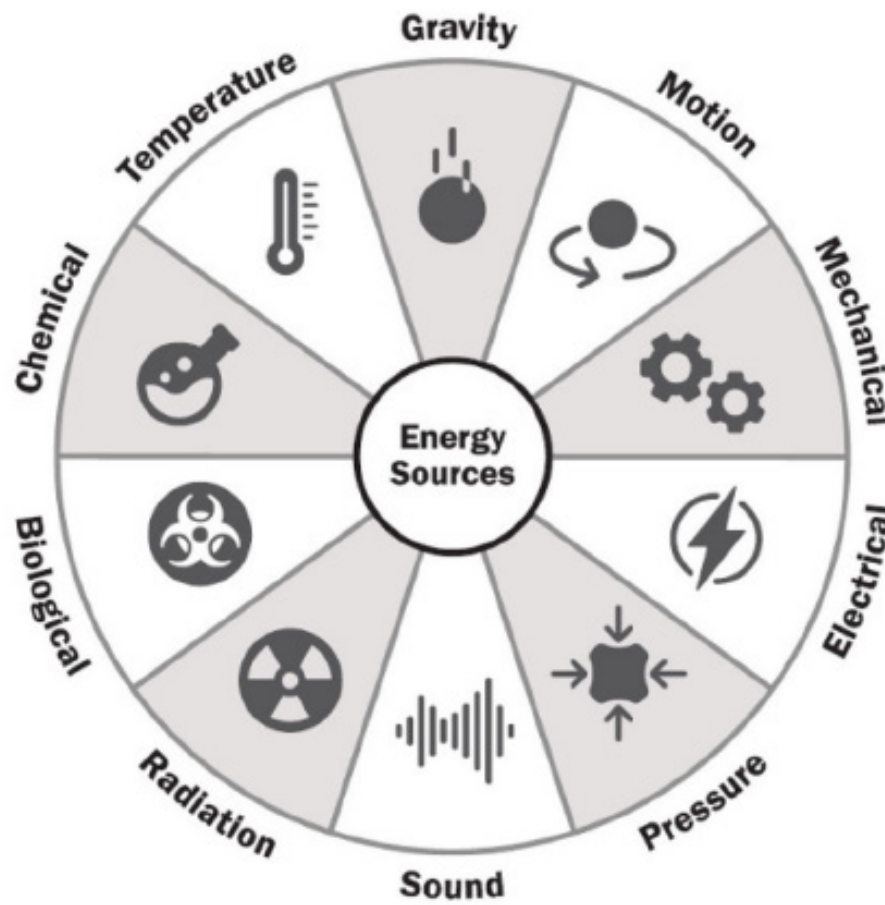
A safety hazard is anything that could cause a physical injury.

Some common safety hazards are:

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



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



### Gravity hazards

A force caused by gravity pulling a mass to the Earth.

Gravity hazards include (but are not limited to):

- working at heights
- unsecured or loose materials
- uneven work surfaces
- Slip trip and fall
- Suspended loads

### Motion hazards

A change in the physical position or location of objects or substances.

Motion hazards include (but are not limited to):

- Vehicular traffic
- Flying debris
- Power and hand tools
- Lifting, pushing, pulling
- Pinch points

### Mechanical hazards

The working parts of a machine or assembly, including rotation, vibration, tension or compression.

Mechanical hazards can include (but are not limited to):

- Rotating equipment
- Conveyor belts
- Cable tension
- Augers
- Pulleys

### Electrical hazards

The presence of electrical charge or current.

Electrical hazards include (but are not limited to):

- Batteries
- Power lines
- Static electricity
- Extension cords
- Transformers and relays

### Sound hazards

The audible vibration caused by the contact of two or more objects.

Sound hazards include (but are not limited to):

- Engines
- Impact noise
- High pressure release
- Compressors
- Restaurant equipment

### Pressure hazards

Liquid or gas compressed or under vacuum.

Pressure hazards include (but are not limited to):

- Soda cans
- Aerosol cans
- Hydraulic lines
- Propane cylinders
- Fire extinguishers

### Temperature hazards

Extreme heat or cold in objects or the environment.

Temperature can also refer to objects being hot or cold not just atmosphere.

Temperature hazards include (but are not limited to):

- Friction
- Steam
- Open flames
- Weather
- Dry ice

### Chemical hazards

Toxic substances that pose health risks.

Chemical hazards include (but are not limited to):

- Solvents
- Diesel fumes
- H<sub>2</sub>S
- Carcinogens
- Silica dust

### Radiation hazards

Moving particles or waves of energy.

There are two types of radiation:

- Ionizing radiation, including (but not limited to): Uranium ore and Nuclear waste.
- Non-ionizing radiation, including (but not limited to): Ultraviolet (UV) rays, Radio waves, Laser light, Welding light, and Cellular phones.

### Biological hazards

Bacteria and viruses that are transmitted by insects, birds, animals, plants, fungi and humans

Examples of biological hazards include (but are not limited to):

- Human bodily fluids
- Sharps waste
- Sewage
- Insects and rodent bites
- Poisonous plants

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



### 1. Ergonomic hazards



### 2. Psychosocial hazards

## 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



### Examine these factors when assessing ergonomic hazard risk:

1. The posture a worker must use to do the job (stooping, bending and crouching).
2. The muscular force (exertion) required (lifting, pulling, pushing and twisting).
3. The number of repetitive motions needed (frequency, speed, duration and position).
4. The physical condition of the person doing the job.
5. Vibration of all or part of the body such as when using jackhammers and chainsaws, or when operating mobile equipment.
6. Work organization factors such as where, when and how the work is done and at what pace. Poorly designed tasks can force workers to do too much too fast. This can increase stress and reduce work efficiency, increasing the risk of incidents.
7. Work environment problems including vibration, heat, cold and contaminants in the atmosphere.

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

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

**Musculoskeletal disorders include three types of injuries:**

- Muscle injury
- Tendon injury
- Nerve injury

### 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*

### 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.

### 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*

### 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

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*

### 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 general public).

Section 3-26 of the Regulations, *Violence*

#### Violence can include:

##### Threatening behaviour

- 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



### 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.*

### 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.*

- Do ergonomic hazards exist (lifting, awkward posture, repetitive motions, excessive force or sitting)?
- Could any work processes, tools or equipment cause health hazards (back injuries, soft tissue injuries, whole body vibration, hearing loss, infections, etc.)?
- What chemical substances are produced, used, handled, stored in or shipped to the workplace?
- Are any vapours, gases, dusts, mists or fumes present (including chemical by-products of work processes)?
- Are biological substances (such as bacteria, viruses, parasites, dusts, moulds and fungi) present anywhere in the workplace?
- Are physical agents present (energy sources with strong potential to harm, such as electric currents, heat, light, vibration, noise and radiation)?
- Are temperature extremes present?
- Could departures from safe work practices cause illnesses?
- Can any potential health hazard be detected with the senses (smell, taste, touch, hearing, sight)?
- Is harassment present in the workplace?
- Are there any complaints from workers about workplace-related health problems?

Quick hazard identification checklist

After identifying workplace hazards, assess the risk that each hazard poses. Use a risk matrix to calculate the level of risk.

All hazards need to be controlled, but you use the risk rating to prioritize and control the highest risk first.

Risk is the chance that a hazard will cause harm.

### Likelihood and consequences

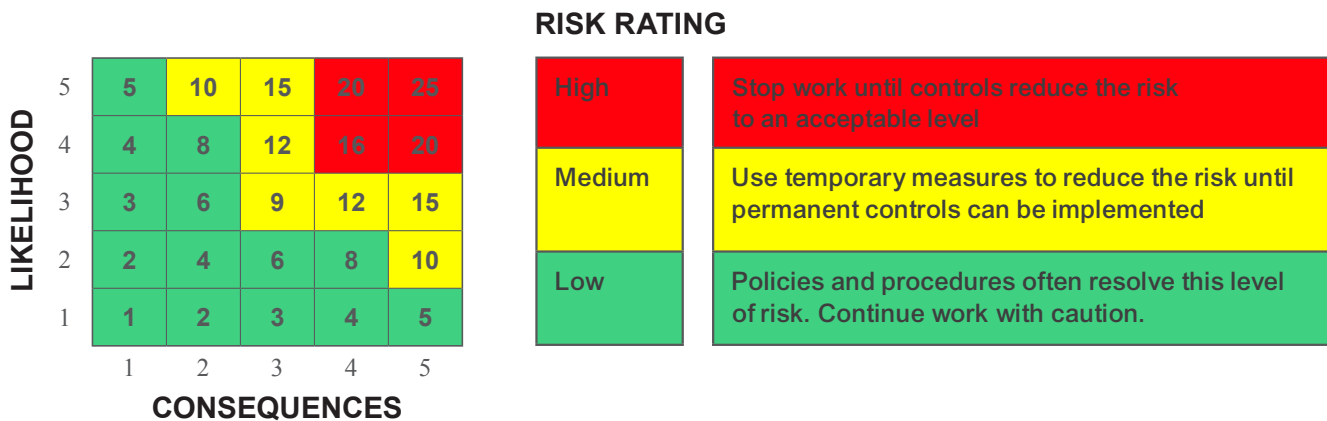
**Likelihood:** What are the chances an uncontrolled hazard will cause harm?

**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.

## RISK ASSESSMENT MATRIX



### LIKELIHOOD (Probability/Frequency)

- 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**

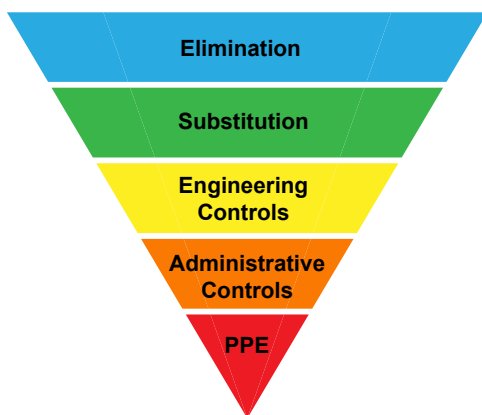
### CONSEQUENCES

- 5. Fatality**
- 4. Major injury**  
(Permanent disability)
- 3. Serious injury**  
(Time loss incident)
- 2. Medical aid incident**  
(Healthcare facility treatment)
- 1. Minor injury**  
(First aid worksite)

### Technical steps in hazard control

Hazard controls are preventative measures and corrective actions. They are used to eliminate or reduce the risk the hazard poses. Some hazards and their controls are specifically outlined in Saskatchewan occupational health and safety legislation. The goal is to reduce the risk the hazard poses to as low as possible.

The main ways to control a hazard include:



1. Elimination - removing the hazard from the workplace.
2. Substitution - replace hazardous materials with less hazardous ones.
3. Engineering controls - physical changes to processes or plant.
4. Administrative controls – directing the way work is done.
5. Personal protective equipment (PPE).

These methods are also known as the “hierarchy of control” because they should be considered in the order presented above. More than one control may be necessary for each hazard.

### Elimination

Elimination is the process of removing the hazard from the workplace. It is the most effective way to control a risk because the hazard is no longer present. It is the preferred way to control a hazard and should be used whenever possible.

### Substitution

Substitution occurs when hazardous materials are replaced with less hazardous ones.

**Example:** A toxic chemical could be replaced by a nontoxic chemical.

### 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 access or exposure to a hazard.

#### Example:

- Manual material handling tasks such as lifting, carrying, pulling and pushing materials are high risk activities. This risk can be reduced by using mechanical aids such as carts, hoists and lifts.
- When working with or around machines that have hazardous parts, the use of machine guarding reduces the risk of workers coming into contact with those hazardous parts.
- The heating, cooling and ventilation systems used in workplaces produce noise. Isolate and enclose the main heating, cooling and ventilation equipment in a mechanical or boiler room to reduce risk.

### Administrative controls

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

#### Example:

- Safety rules such as only walking in pedestrian designated areas to reduce the risk of workers coming into contact with powered mobile equipment.
- Good housekeeping practices can reduce the risk of exposure to hazards such as dust, rodent feces, garbage and ice buildup.
- Emergency response plans reduce risk by preparing employees to appropriately respond to unplanned situations such as a chemical spill or fire.
- Field level risk assessments (FLRAs) or job hazard assessments (JHAs) are documented assessments completed before work starts to verify hazards and controls. They are completed before the work starts or when conditions change.
- Safe work procedures or standard operating procedures reduce risk by requiring workers to complete their job tasks in the safest way possible. Safe work procedures result from completing job safety analyses.

**Example:** partial safe work procedure for changing a tire:

1. Drive vehicle off the road to an area well clear of traffic, even if it requires rolling on a flat tire.
2. Turn on the emergency flashers to alert passing drivers so that they will not hit you.
3. Choose a firm and level area for parking.
4. Apply the parking brake and leave the transmission in park.
5. Place blocks in front and back of the wheel diagonally opposite the flat to prevent the vehicle from rolling.
6. To avoid back strain when removing the spare, turn the spare up into an upright position in its well. Stand as close to the trunk as possible and slide the spare close to your body. Carefully lift out the spare and roll it to the flat tire.
7. Pry off hub cap slowly with steady pressure to prevent it from popping off and striking you.
8. Using the proper lug wrench, apply steady pressure slowly to loosen the lug bolts (nuts) so that the wrench does not slip.

### Personal protective equipment

Personal protective equipment is the final control in the hierarchy and should be used only when engineering and administrative controls don't adequately reduce the risk. Personal protective equipment should never be the only method used to reduce risk. At the very least, administrative controls are required to verify that any personal protective equipment is:

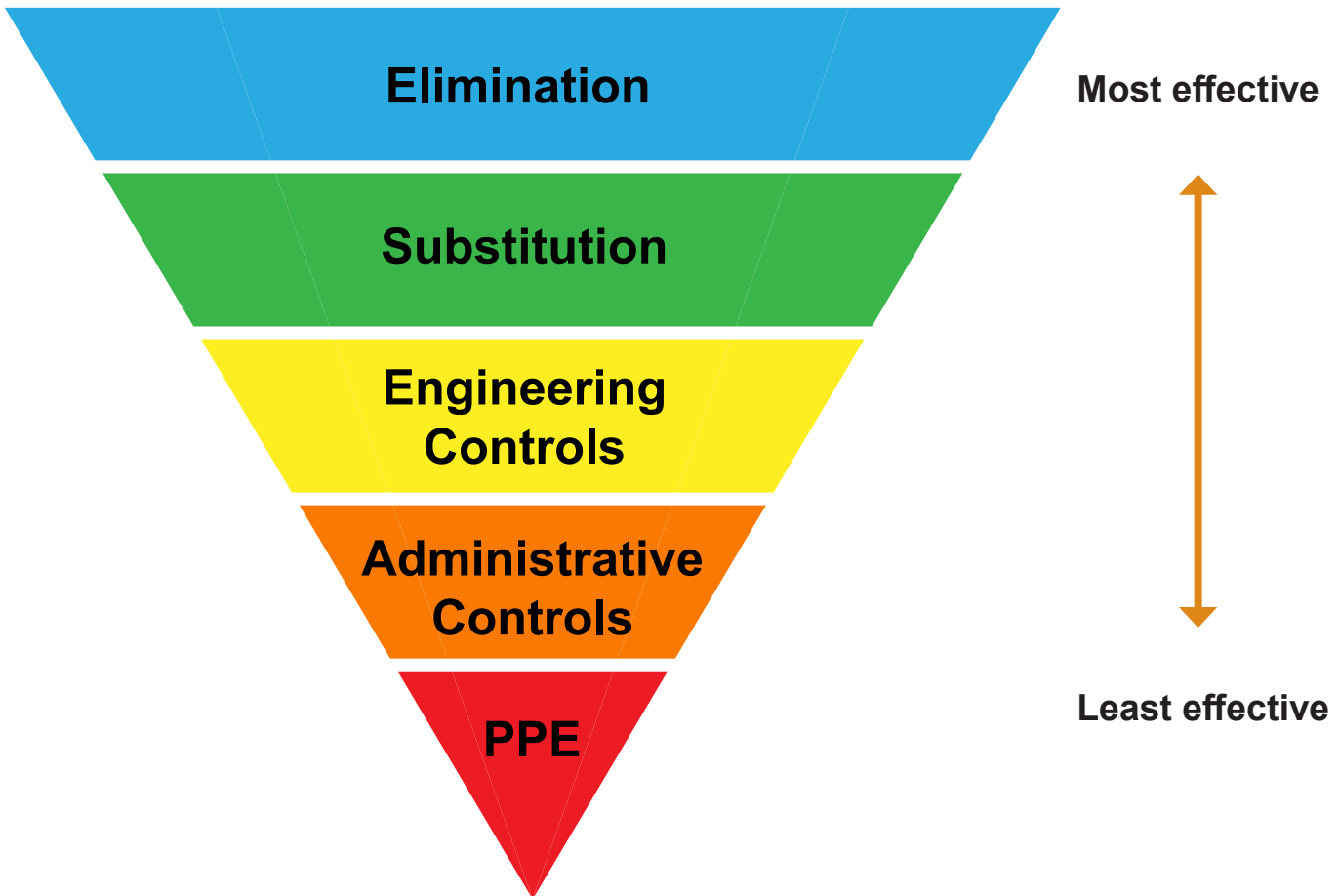
- Appropriate for the job task.
- Used correctly.
- Maintained in good condition.

**Example:** When engineering controls can't reduce noise levels below 85 decibels (units used to measure the intensity of sound) wearing hearing protection reduces the risk of hearing damage if the hearing protection is appropriate and is used properly.



Personal protective equipment includes items such as hard hats, respirators, gloves, face shields, eye protection, hearing protection, fall arrest equipment, specialized protective clothing and footwear that reduce risk by providing a barrier between the wearer and the hazard.

## Hierarchy of controls



Some hazards will need more than one control to reduce the risk to the lowest reasonable level.  
A control must not create a new hazard.

An inspection compares the current state of people, equipment, environment and materials with an expected standard.

In Saskatchewan occupational health and safety legislation is the minimum standard that every workplace must meet. If desired, each workplace can choose a higher standard. Chosen standards should be built into the inspection checklist.

Examples of standards depend on the types of business operations.

### Identify the standards that the workplace measures against.

The inspection compares the current state to the expected standard for:

- people
- equipment
- environment
- materials

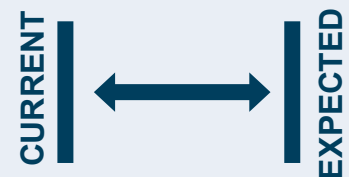
#### Standards:

- Help to identify deficiencies.
- Should be built into the inspection checklist.
- Can be included when writing recommendations.

#### Standards measure workplace conditions.

Examples of standards:

- equipment operator's manuals
- industry best practices
- legislation
- supplier information
- manufacturer's recommendations





1. What is NOT an example of a standard?
  - a. legislation
  - b. supplier information
  - c. industry best practice
  - d. what has always been done at the workplace

2. List the four main steps in the inspection process:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

3. What are the four categories to inspect?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

**Question:**

Look in out-of-the-way places.

Specific OHC members should always conduct the inspections.

Standards are always identified by OHS legislation.

The OHC will want to know what the employer is responsible to inspect.

The OHC determines when inspections will be done.

True	False

Saskatchewan legislation requires employers to conduct general inspections of the workplace, including the tools and technologies of production.

OHCs and representatives carry out regular, planned inspections of the workplace, inspections with occupational health officers and intermittent inspections. These inspections should:

- Check the effectiveness of the employer's health and safety systems.
- Identify problems that inspections conducted by the employer, supervisors and workers have missed.
- Discuss concerns with workers and supervisors.

The employer is responsible for setting up and maintaining an effective inspection system. They must allocate adequate resources and ensure that all employees support the system.

Training the OHC or representative to carry out inspections properly is one of the best ways for the employer to check the effectiveness of the system.

The next step is to plan the inspection. The questions asked what hazards the workers are exposed to, the risk these hazards have to actually hurt someone, the severity of the potential harm and how can the risks be controlled. The answer to these questions assists in developing plans for inspections specific to each employer's needs.



The employer can use the information collected up to this point to determine what resources those conducting the inspection will need. The OHC or representative checks the effectiveness of the employer's inspection system.



# Module three

## Preparing for an OHC inspection

Learner handbook

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## This module will outline:

- ✓ Explain how to develop the inspection checklist.
- ✓ Explain the activities to complete before the inspection.
- ✓ Demonstrate how to conducting an OHC inspection.
- ✓ Describe the communications with workers, supervisors, and subcontractors or self-employed individuals on the worksite.

Some OHCs have the co-chairs conduct the inspections while others involve more (or all) members. Health and safety representatives can inspect the workplace before meeting with the employer to discuss concerns.

This module will demonstrate how to create an inspection checklist and prepare for an OHC inspection.



### DEVELOP INSPECTION CHECKLIST

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

#### Checklists should:

- Be consistent, systematic and efficient.
- Allow for comparing current conditions with standards.
- Help inspectors remember what to inspect.
- Help with developing recommendations.

#### Three basic components of a checklist:

1. Identify the standards to which your workplace measures items.
2. Take each standard and develop into a yes/no question.
3. Organize the questions by topic.

#### The checklist should:

- Include relevant people, equipment, materials and environment.
- Reference applicable safe work practices.
- Have a section to record observations (take notes).
- List equipment in each area.
- Have a column for Yes/No.

#### Include space for additional notes such as:

- Identified hazards not included on the checklist.
- Observations of things going well (excellent housekeeping, people following safe work procedures, pre-use records complete).
- Changes in floor plan, equipment position, new installations.

A key part of inspections is clarifying the standards that measure workplace conditions. Embed the standards into the checklist. Refer to the standards when recommending corrective actions.

Unit inspected: \_\_\_\_\_

Date and time: \_\_\_\_\_

Person(s) inspecting: \_\_\_\_\_

### Checklist questions for forklift truck

Item	Standard	Meets Standards		Notes
		Yes	No	
Is a visual inspection completed prior to use?	Section 11-3 of the Regulations, <i>Visual inspection</i>			
Are maintenance logs up to date? Can operators readily access logs?	Section 11-4 of the Regulations, <i>Inspection and maintenance</i>			
Is the horn working properly? Is the backup alarm working? Does the operator use the seatbelt?	SMS SOP #123: Forklift pre-operational certificate			
Are only trained people operating the forklift?	Section 11-2 of the Regulations, <i>Trained operators for powered mobile equipment</i>			

Area(s) inspected: \_\_\_\_\_

Date and time: \_\_\_\_\_

Person(s) inspecting: \_\_\_\_\_

### Checklist questions for the office

Item	Standard	Meets Standards		Notes
		Yes	No	
Floors and stairs free of obstructions and tripping hazards?	SMS Policy #56: Office Housekeeping			
Plug ins where they are needed? Extension cord use minimized? No use of daisy chains? (multiple cords and/or power bars connected together)	SMS Policy #34: Office Electrical			
Ergonomic workstations used? They properly adjusted? They suitably lit? Screen images stable and clear? Workers trained to adjust?	SMS SWP #87: Computer Station Set Up			

Area(s) inspected: \_\_\_\_\_

Date and time: \_\_\_\_\_

Person(s) inspecting: \_\_\_\_\_

### Checklist questions for hazardous materials and substances

Item	Standard	Meets Standards		Notes
		Yes	No	
Workers trained in WHMIS?	Section 22-4 of the Regulations, <i>Worker education and training</i>			
Listing of chemical and biological substances available and current?	Section 21-2 of the Regulations, <i>List of chemical and biological substances</i>			
SDSs readily available?	Section 22-13 of the Regulations, <i>Availability of safety data sheets</i>			
Container markings clear and visible?	SMS Policy #2: Chemical Labeling			
Safe work procedures used?	SMS SWP #88: Safe handling of hazardous materials			
Required PPE available?				
Required emergency equipment available?				

### Use checklists to:

- Ensure planned inspections are carried out properly.
- Properly identify what was inspected (hazards, items and areas).
- Monitor the effectiveness of the employer's health and safety systems.
- Identify, locate and describe concerns and defects.
- Draw attention to good health and safety practices.
- Help track concerns and long-term problems.

Use the inventories of critical parts, items and substances, as well as job safety analyses (JSAs) to help develop your checklists.

Some employers build checklists for each work area around the hazards there. Others build their lists around each technology, such as tools, machines, equipment and vehicles.

### *How to do it*

OHCs and representatives can use OHS publications to prepare checklists to monitor the effectiveness of the employer's health and safety systems.

### To develop checklists, the employer can:

1. Identify standards to measure workplace conditions.
  2. Take each standard and make it into a question. Organize these questions by topic and record them on checklists.
  3. Validate your checklists:
- Review sample checklists from suppliers and industry associations.
  - Discuss the checklist with experienced, safety-conscious workers and contacts in similar organizations.
  - Test.

### The following are checklists the organization may need:

- Health and safety systems.
- Orientation, training and supervision.
- Plant.
- Chemicals, biological substances and materials at the workplace.
- Work environment.
- First aid, fire and emergency plans.
- Personal protective equipment.

### Checklists for health and safety systems

- Occupational health and safety programs and plans.
- Procedures required to control infectious substances and other hazardous materials, equipment, tools and machinery.
- Workplace hazardous materials information system (WHMIS).
- Training requirements for certain workers, such as forklift truck operators.
- Safe work procedures required for certain industries and to control specific hazards.
- Harassment and violence policies.

### Questions to ask during the planning:

- Do procedures, policies, programs and plans meet requirements?
- Do supervisors and workers understand what they require?
- Are supporting resources adequate (money, training and people)?
- Are they updated as required?
- Do supervisors and workers have any concerns about them?

### Checklists for orientation, training and supervision

Inspect these other items:

- Orientation and training:
  - o Orientation and training of new and inexperienced workers.
  - o Supervisory training.
  - o General health and safety training, such as WHMIS or the hazards of shift work.
  - o Specific job training.
- Supervision.

### Checklists for the plant:

Plant includes vehicles, powered mobile equipment, tools and equipment.

- Powered mobile equipment:
  - o Regulatory and other requirements for certain items such as crane slings and rigging.
  - o Required professional certifications and service inspections.
  - o Modifications.
- Machinery, tools and equipment:
  - o Production, machine-tools and related equipment.
  - o Engines, electric motors and other power supplying equipment.
  - o Electrical equipment, switches and circuits.
  - o Hand tools and equipment, such as wrenches and power tools.
  - o Personal protective equipment and clothing.
  - o First aid stations and emergency equipment, such as eye washes.
  - o Fire protection and emergency response devices, such as fire extinguishers and water supplies.
  - o Elevators, hoists and lifts.
- Installations and facilities, including other workplaces owned by the employer or worked in by employees, such as:
  - o Storage sheds and non-production areas.
  - o Walkways, ramps, docks, parking lots and roadways.

### Checklists for chemicals, biological substances and material at the workplace

- Chemical and biological substances, including those controlled under WHMIS, that are handled, transported, stored, produced or disposed of by workers.
- The potential hazards of raw materials and products.
- Other substances or materials of concern to workers.

### Checklists for the work environment

Work environment hazards are often hard to spot. The harmful effects from many work environment hazards, such as noise-induced hearing loss, may not show up for some time. This is why regular inspections are so important.

Usually, the OHC or representative is supplied with the results of these inspections by the employer. However, in some cases OHCs check to see if the results are accurate.

When inspecting the work environment, consider:

- Light and illumination (include intensity, direction, glares and shadows).
- Dust, fumes and vapours.
- Biological organisms.
- Work area design (include ergonomics).
- Hot and cold conditions.
- Noise.
- Housekeeping and storage.

### Checklists for first aid, fire and emergency plans

The employer should have a system to:

1. Identify situations (fires, explosions, spills, leaks, etc.) that will activate response plans.
2. Identify what will happen when an emergency occurs. Response plans usually include procedures and responsibilities for:
  - Declaring an emergency.
  - Evacuating workers.
  - Obtaining internal emergency resources.
  - Obtaining help from external organization.
  - Initiating emergency rescues.
  - Tending to casualties.

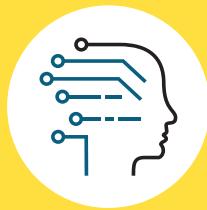
The OHC or representative can use this information to review the effectiveness of the employer's emergency and first aid plans.

### Checklists for personal protective equipment

When planning PPE inspections, the employer and OHC or representative can work together to consider:

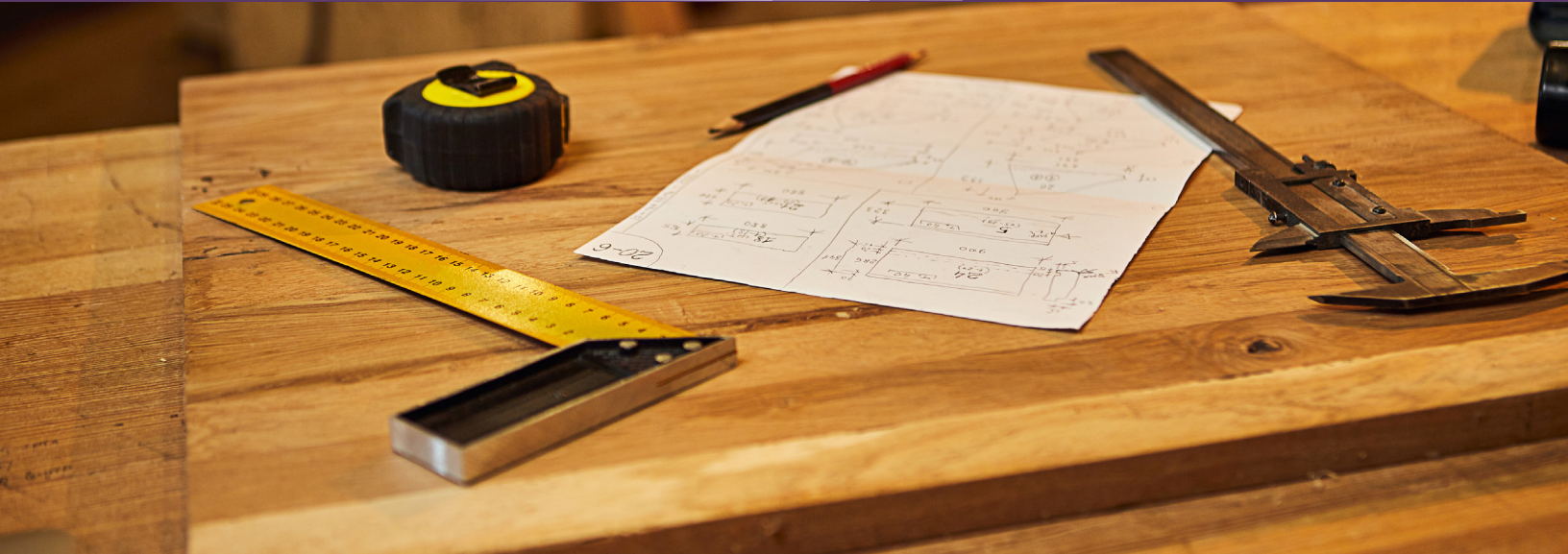
- Types of PPE in use (such as respirators).
- Where and how PPE is used.
- Inspection, cleaning, storage and maintenance.
- Worker training.
- Supervision.

The employer can develop appropriate checklists for supervisors and the OHC to use.



#### Think about:

Review the use of PPE. Could the employer introduce more effective hazard controls so that the specific PPE is no longer necessary?



### REVIEW RELEVANT DOCUMENTS

Prior to the inspection, review relevant documents.

Some examples are:

- The most recent OHC inspection record.
- OHC minutes and worker's concerns.
- First aid equipment locations.
- OHC minutes and recommended corrective actions.
- Incident reports and their accompanying investigation reports.
- Equipment and tools usually located in each area.

### PLAN THE INSPECTION ROUTE

Use workflow diagrams and work area floor plans to determine the route of the inspection. Identify hazards and trouble spots that need special attention. Consider:

- What to inspect, when and in what depth or detail.
- Process/client service workflow, start up and end times.
- Where hazards are likely to harm workers.
- Recent modifications to the workplace, such as new equipment purchases and renovations.

**Be familiar with floor plans, workflows and restricted areas.**

Consider: Previously identified hazards, location of any recent incident(s), bottlenecks in traffic patterns, shift start and end times, and recent work operation modifications.

### ASSEMBLE THE RESOURCES

The employer has a duty to provide resources and required information to the OHC.

Examples include:

- Inspection checklist
- Clipboard, pens, pencils
- If necessary flashlight and measuring tape
- Restricted area locations
- Personal protective equipment (PPE)

### You are prepared; It's time to inspect!

#### Communicate with workers

- **Minimize disruption and keep conversations about the inspection.**
- **As needed, explain the purpose of the OHC inspection.**
- **Ask questions and take notes about worker concerns.**

Make it clear that the purpose of your inspection is to find facts and not faults. Ask questions to confirm understanding of procedures, standards, hazard controls, etc.

Ask about any patterns of illness or incidents in the work area. Are health and safety problems investigated? Is the OHC or representative involved? Is effective action taken?

Check the effectiveness of worker orientation, training and instruction. Note issues that may require further investigation. Ask for ideas and suggestions on how to fix defects.

Pay attention to new and inexperienced workers. They may report hazards other workers have become used to or do not see.

Inform workers who have raised concerns in the past of what the employer is doing to resolve their concerns.

Talk to employees about workplace health and safety issues and the activities of the OHC or representative.



### *How to help workers resolve concerns*

- Encourage workers to report all concerns to their supervisor before forwarding them to the OHC or representative.
- If the problem cannot be resolved with the supervisor, encourage workers to take it to the local OHC or representative.
- If the local OHC member cannot resolve the concern, call in the co-chairs. In workplaces with a representative, the representative talks to the employer at this point.
- If the co-chairs cannot resolve the problem, bring the issue forward at the next OHC meeting. If the concern is serious, such as a refusal to work, call an emergency OHC meeting.

The OHC can help the worker and employer gather information on the risks posed by each hazard and recommend possible corrective action. Keep employees who raise concerns informed of progress.

The employer is expected to act on the recommendations or explain why they do not agree with the recommendation. The employer should advise the OHC about the corrective action taken to deal with other, less serious, types of concerns.

If the employer corrects a contravention of the legislation or a hazardous situation, they should send the OHC a written note describing what was done. The OHC records the corrective action in the meeting minutes. Representatives do not have to keep minutes. However, we suggest that you keep some record of what was discussed. It may come in handy later.

- If the OHC or representative cannot resolve the concern with the employer, anyone may ask an occupational health officer for help.

### **Communicate with supervisors**

During inspections, ask supervisors questions like:

- What inspections are required in their work areas, such as inspection intervals for equipment and machinery?
- What inspections are they performing? When and how?
- Are they speaking to workers about health and safety and asking workers to talk about their concerns?
- Are they correcting defects?
- Are they training new workers, and how?
- Are they making special inspections when new equipment and workers are introduced?

Some supervisors may interpret problems found on the inspection as criticisms. Remind them that the purpose of the inspection is fact-finding, not fault-finding. Avoid arguments and maintain a firm, fair and impartial attitude.



### Role of the supervisor

- Coach and train workers.
- Hold health and safety talks and meetings.
- Conduct job observations.
- Inspect the work area regularly.
- Monitor compliance with workplace requirements.
- Correct specific concerns.
- Bring concerns that cannot be dealt with on the shop floor to the employer.

The employer can ensure supervisors:

- Know what is expected of them during the inspection.
- Know what they should do when a problem is reported.
- Have the authority and resources needed to take corrective action.

### Communicate about subcontractors or self-employed parties

- The OHC has no duty to monitor the workers of another employer
- Don't enter work areas not controlled by your employer
- Follow your employer's process to identify and report safety concerns regarding subcontractors and self-employed individuals
- Discuss urgent matters immediately with the work area supervisor

During an inspection, the committee or representative might notice that the workers of subcontractors are creating a hazard or departing from safe work practices. When this happens, ask the employer to discuss the problem with the subcontractors and deal with it.

### Involving subcontractors

Sometimes your inspection team may notice hazards created by a self-employed person, the workers of another employer, a supplier, owner or subcontractor. Keep in mind:

1. Unless your employer has made other arrangements, (such as joint inspections with the other employer's OHC or representative) do not enter work areas your employer does not control. There may be hazards. Workers in these areas may not know that you are there, and this may create hazards. As well, your OHC does not have the jurisdiction over subcontractors and workers not employed by your employer.
  - the self-employed person, subcontractor, owner, supplier or other employer immediately.
2. Try to co-ordinate inspections with any self-employed person, subcontractor, owner, supplier or other employer working with your employer.
3. When you notice a hazard created by a self-employed person, subcontractor, owner, supplier or workers of another employer.
  - Bring the problem to the attention of your employer and ask them to resolve it with the self-employed person, subcontractor, owner, supplier or other employer.
  - Look into the effectiveness of your employer's policy with regards to awarding contracts (i.e., What health and safety criteria is used in awarding contracts?).
4. When you notice a hazard created by someone who is an employee of your employer that could harm subcontractors or others, deal with it just like you deal with any other health and safety concern.
5. Ask any self-employed person, subcontractor, owner, supplier or other employer working with the employer for suggestions on how to make your workplace healthier and safer for them.

### Inspect systematically

<b>Inspect safely</b>	<ul style="list-style-type: none"><li>• Follow work area rules.</li><li>• Use PPE.</li></ul>
<b>Communicate</b>	<ul style="list-style-type: none"><li>• Talk with workers and supervisors.</li><li>• Record concerns.</li></ul>
<b>Minimize disruptions</b>	<ul style="list-style-type: none"><li>• Observe rather than disrupt work.</li><li>• Focus conversation on the inspection.</li></ul>
<b>Look in out-of-the-way places</b>	<ul style="list-style-type: none"><li>• What process areas are seldom used?</li><li>• What storage areas are seldom used?</li></ul>
<b>Use your senses</b>	<ul style="list-style-type: none"><li>• Many hazards can be heard, smelled, felt or seen.</li></ul>
<b>Take careful notes</b>	<ul style="list-style-type: none"><li>• Provide positive feedback. Note all hazards, even those corrected at once. Carefully identify and describe each hazard, the threat it poses and where it was found. Use the correct names and locations for all machinery, tools and equipment.</li></ul>



1. The OHC should inspect:
  - a. Only the main areas of the workplace.
  - b. Only high hazard areas.
  - c. Only where incidents have occurred.
  - d. All areas of the workplace.

**Question:**

You never need to wear PPE when conducting inspections.  
It's important to speak with workers about their concerns.  
Inspection checklists are standard forms provided by the Ministry for use by all employers in Saskatchewan.  
The OHC has authority over all subcontractors working on site.  
Inspection checklists should be specific to your workplace.

True	False
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

# Knowledge check



## Inspection activity

### Scenario:

You joined the OHC a few months ago and you and three other members recently finished Occupational Health Committee Level 2.

You are relatively new to inspection processes. However, you are working with an employer who seems to be proactive about their inspections.

This is the first time you are taking part in an actual OHC inspection. It is a planned inspection that is to begin at 8:30 am on February 10, 2024.

The OHC will be inspecting Wood Shop 3 which is housed in a separate building at the back of the property. You are not a tradesperson, so you don't know much about the day-to-day operations. You do know there are several saws, several assembly areas and some mobile equipment in the shop.

Before inspecting, what are some documents you will want to request to review?

Take a few minutes now to think about what documents are part of the Wood Shop processes.

Make a list of the records you want to review before doing the inspection.

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**After reviewing the documents that you requested you learned the following:**

- The ventilation system and the forklift are maintained by contracted professionals (external)
- It appears that there are proper maintenance records for the forklift and the ventilation system
- There have been no worker concerns brought to the OHC's attention
- All facility garbage containers are to be emptied bi-weekly
- Floors are to be swept daily in the wood shop
- All tools and equipment must be inspected prior to use
- Dust masks are required to be worn in shop 3
- You also saw that Wood Shop 3 has a table saw, band saw, router and assembly area

**You and the OHC conduct the inspection as planned.**

**During the inspection you notice:**

- There is excess wood dust
- PPE supplies are well stocked and available
- Items are being stored in walkways because there is a lack of shelf space
- Stacked wood materials are disorderly
- The garbage containers are full and overflowing
- There is a guard missing on a table saw
- Supervisors and workers are wearing the appropriate PPE including dust masks

**When speaking with workers in the area, they express concerns with the excess dust and the cluttered walkways.**

Based on the information provided, complete the checklist on the following page by indicating if the standard has been met and any notes you would include.

Area(s) inspected: \_\_\_\_\_

Date and time: \_\_\_\_\_

Person(s) inspecting: \_\_\_\_\_

### Checklist questions for Wood Shop 3

Item	Standard	Meets Standards		
		Yes	No	Notes
Do ventilation system records verify preventative maintenance is complete?	SMS inspection policy # 5678 states twice per calendar year. Section 6-3 of the Regulations, <i>Mechanical ventilation</i>			
Have worker(s) reported concerns? When?				
Is the required PPE for working in wood shop readily available?	SMS PPE policy #123: wood shop			
Is required PPE being used as stated in the policy?	SMS PPE Policy #123: wood shop			
Housekeeping – Is place of employment clean and sanitary, including garbage and floors?	Section 6-1 of the Regulations, <i>Sanitation</i>			
Does the Wood shop allow safe means to enter and exit work areas?	Section 16-1 of the Regulations, <i>General duty re entrances, exits</i>			
Is material and equipment placed, stacked or stored in a safe manner?	Section 9-18 of the Regulations, <i>Storage of materials</i>			
Confirm all wood shop saws are in good condition have the safeguards in place.	Policy 475 – Safeguards must not be removed from tools or equipment			



# Module four

## Managing inspection results

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### This module will:

- ✓ Demonstrate how to record inspection results.
- ✓ Explain how to write recommendations.
- ✓ Describe how to communicate inspection results.
- ✓ Identify considerations for review of the inspection system.

The OHCs role in workplace inspections does not conclude with the end of the inspection activity.

A completed OHC inspection checklist must be reviewed by the OHC. The inspection results are used to create corrective action recommendations to address the deficiencies found during the OHC inspection.

This module will explain how to record the inspection, communicate the results, and evaluate the inspection process .



A 'record' is information set down in writing or some other permanent form for later reference.

**A record includes:**

- Time
- Date
- Location
- Activity
- Signatures

*Completed inspection checklists capture the inspection results and serve as a record.*

**Clearly identify the uncontrolled hazard**

- Who, when and what was inspected?
- What deficiencies were identified?
- What worker concerns were noted?
- What positive observations were present?
- Did an urgent matter result in calling a special meeting of the OHC?

**At regular OHC meetings:**

- Review the most current inspection record(s).
- Ensure the inspection record is referenced or included in the meeting minutes.
- Review if prior recommendations were implemented by target date(s).

Ensure checklists include the time, date, location and names of individuals who inspected.

### The OHC's duty

#### *Manage inspection results*

##### The OHC's duty is to:

- Post OHC inspection results.
- Follow up actions.
- Recommend corrective actions for identified deficiencies.

#### *Recommend corrective action*

##### Short-term recommendations

- Temporarily control the hazard.
- Can be implemented immediately to protect workers.

##### Long-term recommendations

- Address the underlying cause(s) of the substandard act or condition.
- Remove or control the root cause

### The OHC's duty to communicate

##### When the OHC completes inspections and recommends controls, the OHC shall:

- Post OHC inspection records and include or reference in OHC minutes.
- Verify what short-term controls have been implemented.
- Inform workers what will be done to remove or permanently control the hazards.

### The employer's duty

It is the **employer's duty to implement controls** that will remove the hazards or reduce the risk presented by hazards.

##### **When the employer receives written notice of an unsafe condition, the employer shall:**

- Take immediate steps to protect workers' safety.
- Take suitable action to correct the unsafe condition as soon as possible.
- Inform OHC in writing of actions taken or not taken (and why).

Section 3-17 (2) of the Regulations, *Inspection of place of employment*

### Monitor and follow up

*Both the employer and the OHC have a duty to monitor the effectiveness of controls.*

##### Consider the following questions:

- Did employer implement the recommended control?
- Is the control effective?
- Did the control introduce a new and unexpected hazard?
- Were the OHC recommendations notated in the regular OHC meeting minutes? Why? Why not?

### **The OHC reviews the effectiveness of its inspection system.**

When reviewing the OHC inspection processes, consider the following:

- Are inspection procedures and schedules in place?
- Does the OHC inspect before every regular scheduled OHC meeting?
- Are concerns discussed with workers during inspections?
- Are OHC inspections frequent enough?
- Are inspection reports given to the appropriate person at our workplace?
- Are inspections identifying concerns, hazards and risks?
- What effect are inspections having?
- Does the employer report back to the OHC?



1. Which of the following is the best way for the OHC to improve the inspection system?
  - a. Discuss inspections at OHC meetings and with workers.
  - b. Immediately report deficiencies to the Ministry.
  - c. Refuse to conduct another inspection until the long-term corrective action has been implemented.
  - d. Always have the same inspectors for every inspection.
  
2. Should the results from the inspection be kept confidential?
  - a. Yes.
  - b. No.
  - c. Depends on the results.
  - d. It is up to the employer to decide if the results should be communicated.
  
3. Once the OHC provides the employer with recommendations, their job is done.
  - a. True.
  - b. False.
  
4. The OHC must create an inspection record to keep on file as a record to prove the inspection was completed.
  - a. True.
  - b. False.



# Module five

## Introduction to investigations

Learner handbook



*Work to live.*



## This module will:

- ✓ Determine what an incident investigation is.
- ✓ Describe the purpose and benefits of completing an investigation.
- ✓ Review the roles of the worker, employer, and OHC or representative.
- ✓ Determine what incidents are required to be reported to the ministry.
- ✓ Determine what incidents need to be investigated according to legislation.

An incident is any unplanned event that causes, or may cause, injury or damage. Incidents are often a warning that the workplace's health and safety system is not working properly.

Experience suggests that effective incident investigations prevent recurrences and make the workplace safer and healthier. This is why *The Saskatchewan Employment Act*, and *The Occupational Health and Safety Regulations, 2020* require that certain incidents and dangerous occurrences be investigated and that the report contain specific information. Leading employers investigate any incident that causes, or could have caused, injury or loss.

Worker involvement helps make most investigations more effective. The legislation specifies that the workplace's OHC or representative must be involved.

### **Conducting investigations is an important function of the OHC and representatives.**

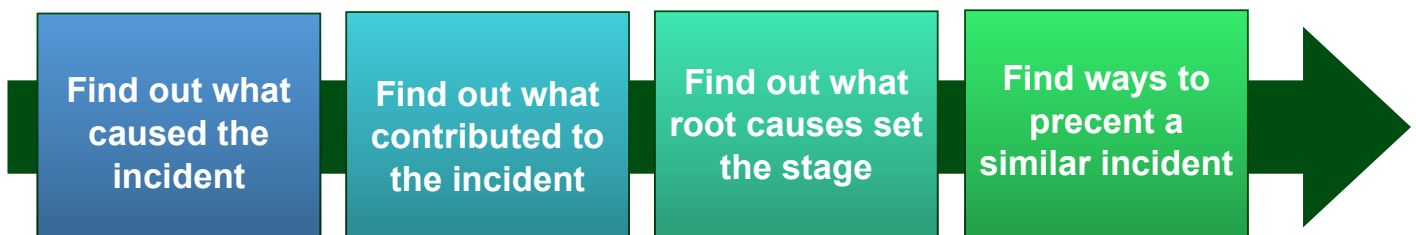
Investigations should compare what should have happened to what actually happened. They can help determine what gap developed and why a gap developed. From there, the appropriate corrective actions are recommended so that the same incident does not happen again. It's very important not to assess blame when conducting investigations.

### **Effective investigations must be part of an employer's health and safety system.**

Effective investigations are conducted by OHC members, or the representative together with the employer. Investigations will help the employer find and correct the root causes of incidents. Investigations of certain types of incidents are required by legislation. It is the employer's duty to ensure that effective investigations are conducted at the organization.

### **The purpose of an investigation is to PREVENT RE-OCCURRENCE.**

Effective investigations help prevent the recurrences of incidents and can enhance workplace safety. It's important to understand the benefits of an investigation. Investigations are done to understand what happened and why. They help to identify the appropriate corrective actions that will prevent a re-occurrence of the incident. They can also help to identify incident trends. Lastly, they help to make the workplace healthy and safe.



### It's important to understand the benefits of an investigation.

#### Investigations are done:

- To understand what happened and why.
- To identify corrective actions that will prevent a re-occurrence.
- To identify trends.
- To make the workplace healthy and safe.

#### What is an incident?

- Not defined in legislation
- Any unplanned, unwanted event that causes:
  - injury or illness
  - damage or loss to property or to the environment

#### What is a dangerous occurrence?

- An incident that **does not but could have** resulted in a condition or circumstance set out Section 2-2 of the Regulations, *Accidents causing serious bodily injury*

Eight examples of what is considered a dangerous occurrence are listed in Section 2-3(1) of the Regulations, *Dangerous occurrences*.



### **Investigations benefit from worker involvement.**

#### **Benefits include:**

- More effective investigations.
- Demonstrates that workers' perspectives are valued.
- Improves acceptance of recommendations.





### OHC and representatives' investigators are expected to:

- Collect and analyze evidence.
- Help find root causes and recommend corrective action.
- Improve the effectiveness of the employer's health and safety systems.



### **REMEMBER!!**

It is the EMPLOYER'S responsibility to implement corrective actions.

Investigations conducted by OHC members, or the representative and the employer, will:

- Find and help correct root causes.
- Check the employer's health and safety management systems and suggest improvements (where required).
- Not assess blame.

The OHC or representative has no authority to implement corrective action. That is the employer's job. The role of the OHC or representative is to advise and recommend.

**Examples:**

- Insurance companies.
- Health and safety professionals.
- Technical specialists.

The employer may ask a specialist for help in the investigation. When this happens, the employer is expected to involve the OHC or representative, provide them with a copy of related reports and discuss their concerns. The OHC and employer may conduct additional investigations.





### The employer is responsible to:

- Ensure effective incident investigations.
- Integrate investigations into the health and safety system.
- Provide the investigation team with training and resources.
- Implement appropriate corrective actions to address root cause and prevent re-occurrence.



Ultimately, the employer is responsible for ensuring the effectiveness of incident investigations. To have effective incident investigations, the employer can integrate them into the organization's health and safety system and provide the investigation team with appropriate training and resources. It's the employer's responsibility to decide and act on which corrective actions to implement.

The employer is responsible for correcting problems that the OHC or representative identify ([Sections 3-18, 3-19, 3-20 of the Regulations](#)). When an OHC member or representative reports an unsafe condition or a contravention of the legislation the employer must:

- Protect the health and safety of workers at risk until the unsafe condition or hazard is corrected.
- Correct the problem.
- Inform workers and the OHC or representative about corrective action planned or taken.

If the employer does not agree with recommendations made by the OHC, the employer must give the OHC a written reason for not resolving the problem or addressing the concern. The OHC or representative may contact the Ministry for assistance and advice on [Section 3-29 of the Act](#) and [3-17 of the Regulations](#).

Experience suggests weaknesses in the workplace's health and safety management system are the underlying root causes for many incidents. This is why it is important to examine and correct system defects to control hazards.

### Notice requirements for incidents and dangerous occurrences

The employer must notify the Ministry of Labour Relations and Workplace Safety (the Ministry) of:

- **Fatalities or accidents causing serious bodily injury**
  - Incidents requiring hospitalization (in-patient) for 72 hours or more.  
Section 2-2 of the Regulations, *Accidents causing serious bodily injury*
- **Dangerous occurrences**
  - Could have resulted in a fatality or serious bodily injury.  
Section 2-3 of the Regulations, *Dangerous occurrences*



### Incidents and dangerous occurrences that must be reported to the Ministry

The following Regulation deals only with incidents that cause injury. The Ministry recommends the employers, contractors and owners report any incident requiring a worker to receive emergency medical attention in a hospital if the employer:

- Knows or believes that the incident will cause the worker to be hospitalized for 72 hours or more.
- Is not notified the day after the incident that the worker will be discharge from hospital before the 72-hour period is up.



#### **Section 2-2 of the Regulations, *Accidents causing serious bodily injury***

- (1) An employer or contractor shall give notice to the ministry as soon as is reasonably possible of every accident at a place of employment that:
  - (a) causes or may cause the death of a worker; or
  - (b) will require a worker to be admitted to a hospital as an in-patient for a period of 72 hours or more.
- (2) The notice required by subsection (1) must include:
  - (a) the name of each injured or deceased worker;
  - (b) the name of the employer of each injured or deceased worker;
  - (c) the date, time and location of the accident;
  - (d) the circumstances related to the accident;
  - (e) the apparent injuries; and
  - (f) the name, telephone number and fax number of the employer or contractor or a person designated by the employer or contractor to be contacted for additional information.
- (3) An employer or contractor shall provide each co-chairperson or the representative with a copy of the notice required by subsection (1).

The OHCs usually complete investigations described under Section 3-18 and 3-20 of the Regulations.

If there is a representative, rather than an OHC at the place of employment, the representative and the employer will complete the investigation.

If there is no OHC and no representative, the employer will complete the investigation alone. The employer must ensure that the following types of incidents are investigated:

- Certain accidents
- Dangerous occurrences
- Work-related exposures to infectious materials or infectious disease
- Work-related exposures to listed substances resulting from accumulations, spills, or leaks
- Work refusals

### Certain accidents

**Certain accidents have the following criteria:**

- Is an injury that causes or may cause the death of a worker, or
- Requires a worker to be admitted to the hospital as an in-patient for more than 24 hours

These types of incidents need to be investigated by the committee as soon as reasonably practicable.

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

- (1) Subject to section 3-19, 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) if 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.

### Prohibition re scene of accident

In the unfortunate event of a fatality, the incident scene must not be interfered with until an occupational health officer has completed an inspection.

Under some circumstances, an occupational health officer may grant permission to the OHC co-chairpersons to move items to allow work to proceed if:

- Graphics, photographs, or other evidence showing details at the scene of the accident are made before the officer grants permission, and
- 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 the wreckage, article or thing may be moved.

#### **Section 3-19 of the Regulations, *Prohibition re scene of accident***

- (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) When 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, only 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.

## Dangerous occurrences

Dangerous occurrences need to be investigated by committees to help prevent a re-occurrence of a similar event.

Example 1: A scaffolding structure collapsed but no one was on it and no one was hurt.

Example 2: A grinding wheel burst, but no one was hurt.

These types of incidents need to be investigated by the committee as soon as reasonably possible. Dangerous occurrences are listed in Section 2-3 of the Regulations. It is important to note that this does not list every dangerous occurrence that must be reported; it only provides examples.

### Examples of dangerous occurrences:

- An atmosphere-supplying respirator has not been maintained properly. A worker using it is nearly overcome by poison gas.
- A partially cut tree in a logging area is left standing. It falls while workers are out of the area. Workers could have been struck had they been working there.
- A partially completed masonry wall is blown over during the night. If the wall had collapsed during the day, workers would almost certainly have been injured.
- Suggest improvements in existing hazard controls.



### **Section 3-20 of the Regulations, *Investigation of dangerous occurrences***

- (1) An employer, contractor or owner shall ensure that every dangerous occurrence as defined in subsection 2-3(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) if 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.

### **Reflection moment**

**What is your organization's protocol to communicate to the OHC when an accident that caused serious bodily injury or resulted in a dangerous occurrence occurs?**

### 3. Work-related exposures to infectious materials or infectious disease

The employer is required to (Section 6-22 of the Regulations) arrange for the investigation and documentation of work-related exposures to materials or organisms. This investigation is to be done in consultation with the OHC. An example of when this kind of investigation would be required would be if a nurse was exposed to hepatitis or tetanus at work.

The employer must provide the OHC with a summary of the investigation report. (Section 3-21 of the Regulations) However, the OHC does not have access to confidential medical information. (Section 2-4 of the Regulations, *Medical information*).

**Disclaimer: Refer to the Occupational Health and Safety Regulations, 2020 to read all of Section 6-22, Exposure control plan.**

### 4. Work-related exposures to listed substances resulting from accumulations, spills, or leaks

The employer has a duty to investigate these incidents in consultation with the OHC. The substances are listed in tables 16 and 17 in the appendix of the Regulations. Some examples of extremely dangerous substances are asbestos or mustard gas. Many of the listed substances are known or suspected carcinogens.

These include extremely dangerous materials.

The regulation has specific requirements of what needs to be included in these investigations.

**Example:** Asbestos and mustard gas – many are known or suspected carcinogens or reproductive hazards.



#### *Medical confidentiality*

All individuals have a duty to not disclose a worker's personal medical information.

Section 2-4 of the Regulations, *Medical information*

Medical confidentiality is an important principle for OHC members to understand. Section 2-4 of the Regulations, *Medical information* explains the duty for all individuals to not disclose a worker's personal medical information.

### **Section 2-4(1)(2) of the Regulations, *Medical Information***

2-4(1) Subject to subsection 3-10(2), no person who acquires information of a personal medical nature with respect to a worker pursuant to these regulations shall disclose that information except:

- (a) to the worker;
- (b) to the chief occupational medical officer;
- (c) with the informed consent of the worker, to another person; or
- (d) if otherwise required by law.

(2) A physician who attends or treats a worker who is suffering from or believed to be suffering from a medical condition that is related to the present or past employment of the worker and is listed in Table 6 of the Appendix shall, without undue delay, inform the director of:

- (a) the medical condition from which the worker is believed to be suffering; and
- (b) the name and address of the most recent place of employment where exposure related to the medical condition is believed to have occurred.

### *Potentially harmful injuries, illnesses and conditions*

The employer should also develop a plan for the investigation of injuries, illnesses and conditions that do not require hospitalization.

#### **Examples:**

- chronic illnesses.
- musculoskeletal injuries.
- effects of exposures to chemical, physical or biological substances.



### **5. Work refusals**

The OHC must investigate a worker's refusal to work. When the work refusal cannot be solved with the worker's supervisor, the OHC must investigate the matter and make a recommendation based on the evidence they have gathered and analyzed. purpose of the OHC investigation into a work refusal is to gather evidence and decide if the assigned work meets one or two or all three of the unusually dangerous criteria listed by the Ministry. This will be explained in more detail in Module 10: How to investigate a work refusal.

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

#### **Section 3-31(a)(b) of the Act, *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.

### *Special meetings*

#### **Co-chairpersons can call a special meeting to:**

- Discuss urgent concerns or imminent dangers to health or safety.
- For investigations of accidents, dangerous occurrences, or refusals to work.

Section 4-7 of the Regulations, *Special meetings*

### *Discriminatory action*

Discriminatory action: is any action (or threat of action) taken by the employer toward a worker that negatively affects that worker.

The definition provided by legislation includes 13 examples of discriminatory action.

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

#### **No employer can take discriminatory action against a worker for:**

- Acting in compliance with legislation
- Seeking enforcement of the legislation
- Assisting with the activities of the OHC or representative
- Performing the function of a OHC member or safety representative
- Exercising the right to refuse
- Providing information to the OHC, a safety representative, or an officer
- OR any other circumstance listed in section 3-35 of the Act, *Discriminatory action prohibited*

#### **Important Note:**

The definition has several subsections and clauses and it is recommended that the OHC review this in its entirety.

## Knowledge check



1. What is the purpose of incident investigations?
  - a. To understand what happened and why.
  - b. To identify corrective actions to prevent a re-occurrence.
  - c. To identify trends.
  - d. All of the above.
  
2. . The employer must notify the Ministry of Labour Relations and Workplace safety of which types of incidents?
  - a. Incidents resulting in a workers' hospitalization of 72 hours or more.
  - b. Incidents resulting in a workers' hospitalization of 24 hours or more.
  - c. All workplace incidents.
  - d. All incidents that are being investigated.
  
3. Workers are not protected from discrimination for acting in compliance with the legislation.
  - a. True.
  - b. False.
  
4. The OHC must investigate a work refusal.
  - a. True.
  - b. False.
  
5. List the types of investigations that the OHC is involved in.

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# Module six

## Conduct investigations

Learner handbook



*Work to live.*



The purpose of an incident investigation is to make the workplace healthier and safer. An effective investigation can help a workplace understand what happened and why by identifying substandard acts and conditions.

## This module will:

- ✓ Review the investigation process.
- ✓ Demonstrate how to identify, collect, label, and verify physical evidence.
- ✓ Demonstrate how to collect documentary evidence.
- ✓ Review how to interview witnesses.

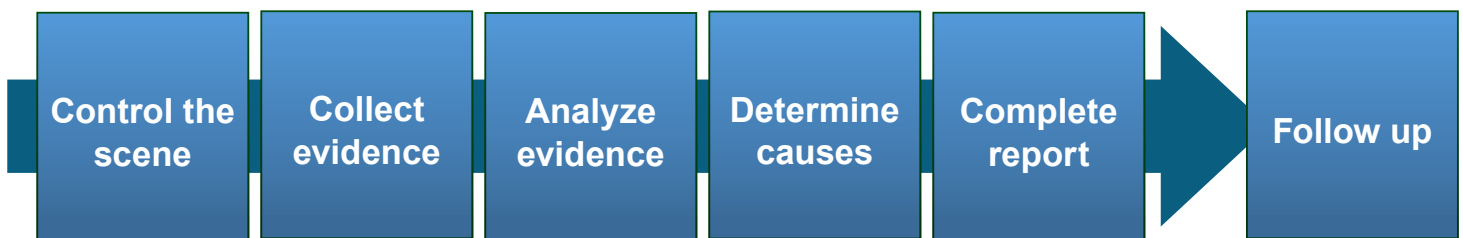
Remember, an OHC has a duty to conduct specific types of investigations and recommend corrective actions. It is the employer's duty to implement corrective actions.

As discussed earlier in this course, under Section 3-17 of the Regulations, *Inspection of place of employment*, upon written notice by the OHC of an unsafe condition or notice of contravention, the employer must do the following:

- Take immediate steps to protect workers' safety.
- Take suitable action to correct the situation
- Inform the OHC in writing of actions taken (or not taken)

When an incident happens, it is the employer's responsibility to ensure that it is safe for the investigation team to investigate. It is important never to put yourself in harm's way for the purpose of an investigation. If the matter cannot be resolved, or technical advice is needed, the OHC may contact the appropriate authorities for assistance.

This course will use a 6-step model of incident investigation. The report must provide the following information:



The first step of an investigation is to control the scene of the incident. Some safety management systems have well-rehearsed incident response policies and procedures that are designed to control the scene.

### 1 CONTROL THE SCENE

*The scene of an incident must be secured.*

- Usually the committee is not usually involved at this level.
- Often the supervisor is the person to control the scene.

**Control the scene to:**

1. prevent further injury or damage
2. preserve then evidence until it can be collected
3. ensure safety for emergency response personnel

Some workplaces rely on the supervisor in the area to do this. Most of the time, the OHC will not be directly involved in this first step.

### ***It is valuable to involve supervisors in incident investigations.***

- Supervisors have a vested interest when incidents happen in their area.
- They know their workers and what jobs they perform.
- Supervisors usually know the equipment, tools and subject matter, so they know what questions to ask.

**Ultimately, they benefit from investigation findings.**

### **Immediately after an incident, supervisors can help to:**

- Secure the scene.
- Activate the emergency response plan
- Ensure that transportation of injured workers aligns with legislation and company policy
- Activate appropriate internal and external notification protocols
- Take initial notes and make initial sketches
- Identify witnesses
- Provide information to the OHC investigation team

Every emergency is unique, and every workplace has its own Emergency Response Plan (ERP). The listed actions are guidelines.

You are an OHC member. In the event of an incident, do you know the emergency response procedures at your workplace? If you are not familiar with the emergency response procedures in your workplace, please follow up with your employer.

In the unfortunate event of an incident that results in a fatality or serious bodily injury, it's critical to know that Section 3-19 of the Regulations, *Prohibition re scene of accident* stipulates that the scene must not be disturbed, except for the purpose of saving a life or relieving suffering. This section also describes how an occupational health officer, under certain circumstances, will delegate some duties to the OHC co-chairpersons.



The second step of an investigation is to collect evidence. In this investigation model the three types of evidence are physical evidence, documentary evidence and interview evidence.

When collecting evidence, ask questions to get the big picture. Think about what was happening at the time of the incident and who was involved in the incident. Who could have potentially seen what happened?

## 2

### COLLECT EVIDENCE

There are three types of evidence:

1. physical evidence
2. documentary evidence
3. interview evidence

### Physical evidence:

Physical evidence refers to any physical object that can be directly linked to the incident.

**Examples of physical evidence include (but is not limited to) the following:**

- Broken equipment parts.
- Positions of operating controls and safety devices.
- Potentially contaminated food or drink containers.
- Skid marks.
- Liquid spills.
- Evidence of insects and other animals.
- The type of damage done to tools, machinery, and equipment.

Before moving items, photograph the location, sketch its relationship to the larger view and label the item. When handling physical evidence, be sure to use safe work procedures and required PPE. Catalog the physical evidence with notes, photographs, video footage, sketches, and map drawings. Ensure your recordings are as accurate as possible.

**Depending on the nature of the incident, you can check the following:**

- Equipment, tools, and machinery for signs of breakage or poor maintenance.
- The positions of equipment, tools, debris, or other materials involved.
- Operating controls and safety devices to see if they were working properly.
- Damage and wear patterns, skid marks, or other environmental observations.

Be sure to cover the overall incident scene, as well as other important locations. Do not disturb the scene or remove evidence until regulatory investigators have released the scene. Lastly, before leaving the scene make sure to verify that all physical evidence is logged according to the location where it was found.

Collecting information can be difficult and time consuming. Physical evidence may be damaged, lost or lacking. Relevant documents may not exist, be out of print or inaccessible. Witness statements can be contradictory or incomplete. Each new piece of information may generate more work.

## Examples:

- Interviews may suggest that certain documents be read.
- Physical evidence may indicate that more witness interviews are needed.
- Hard, persistent and painstaking work may be required to find out what really happened and what can be done about it.
- More frequent monitoring, inspections, maintenance or other administrative actions.

## Identify, collect, label and verify physical evidence

Identifying, collecting, labeling, verifying and storing evidence are the first things that the investigation team does when it reaches the scene. Guidelines for dealing with evidence:

- Take appropriate safety precautions when dealing with evidence.
- Systematically identify, collect, verify, record, store and analyze physical evidence to find out what caused the incident.
- If possible, do not remove evidence until witnesses have been interviewed. An intact incident scene sometimes helps witnesses to remember events more clearly.
- When appropriate, mark the locations of evidence you have removed with spray paint, tape or chalk. This may help you if the incident scene has to be looked at again later.

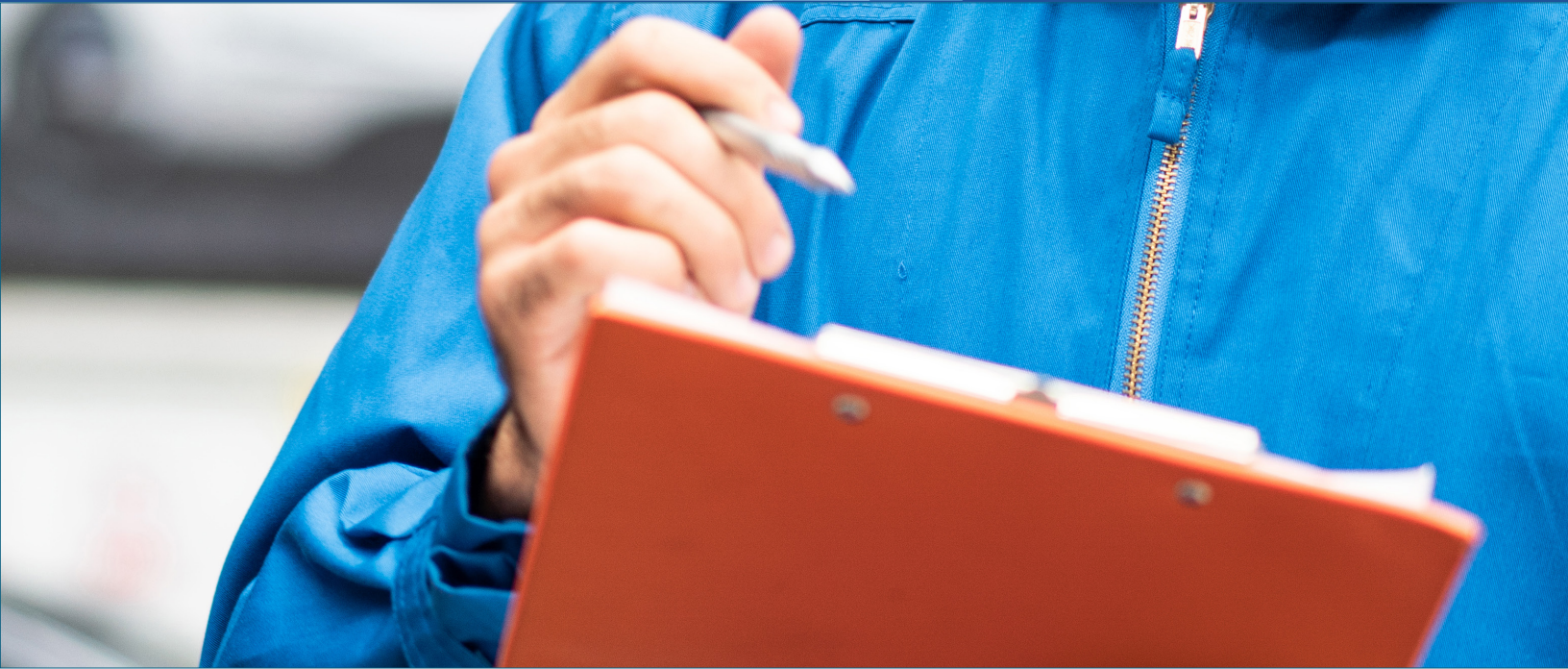


Be sure to cover the overall incident scene, as well as other important locations. Do not disturb the scene or remove evidence until regulatory investigators have released the scene. Lastly, before leaving the scene make sure to verify that all physical evidence is logged according to the location where it was found.

The following table illustrates some examples of the types of evidence that may be present. Take appropriate health and safety precautions when handling evidence.

Examples of types of evidence	
Type of evidence	Possible use
<p><b>Objects</b></p> <ul style="list-style-type: none"> <li>• Tools, equipment and materials (including damaged clothing and PPE).</li> <li>• Hardware.</li> <li>• Facilities.</li> <li>• Debris.</li> <li>• Skid marks, patterns and other properties of items associated with incident.</li> </ul>	<ul style="list-style-type: none"> <li>• Can tell you what actually went wrong and why.</li> </ul>
<p><b>Chemicals</b></p> <ul style="list-style-type: none"> <li>• Fluids and liquids.</li> <li>• Gasses, smoke and fumes.</li> <li>• Solids (for example, pellets, dusts, powders, etc.).</li> <li>• Containers of chemical substances.</li> </ul>	<ul style="list-style-type: none"> <li>• Hydraulic fluids and liquids can tell you about the operability of machinery, mobile equipment and vehicles.</li> <li>• Noxious gasses, smoke and fumes can help you identify hazards in the work area, work practices, adequacy of engineering controls, etc.</li> </ul>
<p><b>Objects</b></p> <ul style="list-style-type: none"> <li>• Blood, body fluids, etc.</li> <li>• Potentially contaminated food and drink.</li> <li>• Plants, spores and pollens.</li> <li>• Insects and animals.</li> </ul>	<ul style="list-style-type: none"> <li>• Can tell you what caused harm and how the harm was done.</li> </ul>





## *Document physical evidence*

Use a log form to document and track each piece of evidence as it is collected. You can also take notes and photographs, use video footage, make sketches and draw maps.

## *Making maps, sketches and drawings*

Map, sketches and drawings can come in handy if the site is disturbed, or equipment is moved before the investigation is complete. Use maps to get a birds-eye view of the incident scene, locate the positions of equipment, tools, debris, workers, etc. Use scale drawings and maps to test theories about what caused the incident.

Obtain maps or drawings of the plant or worksite. The incident investigation team can make more detailed maps and drawings during its investigation. Make maps and sketches and take photographs as soon as you get initial statements from witnesses at the site.





## *Take photographs and use video*

Use photographs (standard or digital cameras) and video to record information, especially information that cannot be collected in other ways. A thorough and complete video can reduce the number of trips you have to make to the incident site. Use video to cover the overall incident scene, as well as important locations and items.

Have an investigation team member direct the photographer to ensure that everything of importance is recorded. Move from general to specific shots. Start with shots of the general scene. Shoot each key item from several different directions to provide better information. Move the camera, but not the item that you are photographing. Moving an item may complicate subsequent examinations by specialists.

Select some way of clearly indicating distance, direction and perspective in your shots, such as including rulers and direction indicators.

Many cameras can print date and time on each negative or slide. Additionally, phone cameras keep a time and date track on the digital information of the photo. In some cases, this can be useful. In other instances, this feature can obscure evidence. If so, use a written log instead to track each shot. Include the scene, subject, date, time, direction and the orientation of each photograph in the log.

### *Remove and store physical evidence*

Sometimes physical evidence must be removed, cleaned and tested to find out more about what caused the incident.

#### **Example:**

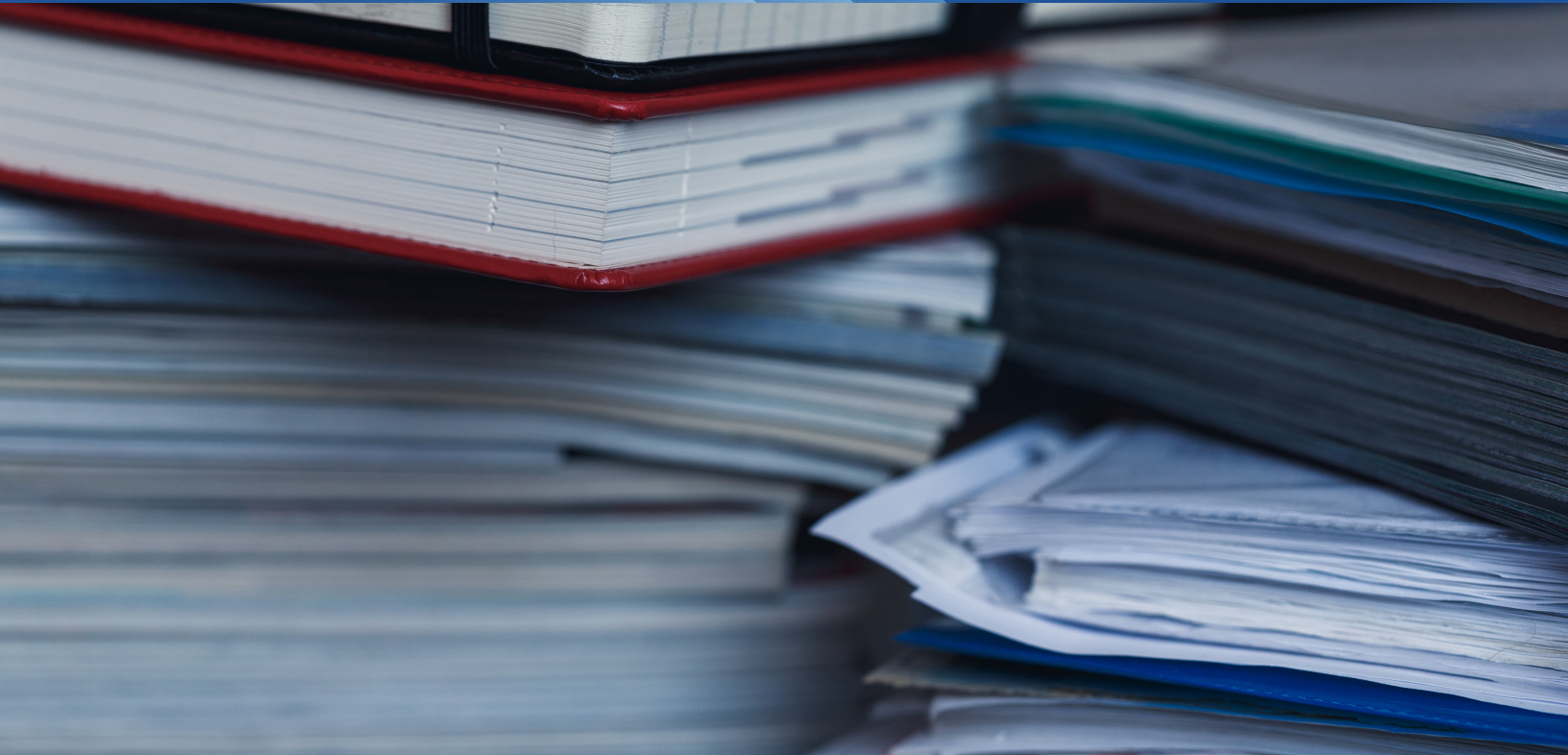
Biological samples or broken machinery parts may have to be sent to a lab for examination. If you will be removing, storing or testing physical evidence, you will need a system to keep track of it and prevent contamination. The complexity of your system depends on your needs.

In complex investigations, you may need to prepare clean and clearly identified sample containers. Keep them in the investigation kit for ready access.

- Carefully note who removes each piece of evidence and how.
- Label each sample and its container. Pack and protect delicate items. Tag items that cannot be put into a container.
- Map and take photographs of each piece of evidence before it is removed. For evidence that requires movement by means of a tool, machine or structure, photograph each stage of the movement. Note any damage to each piece of evidence. Photograph each item before and after cleaning.
- Log when and where each item (or document) was found (that is,, date, time and location), is stored and who has access to it (that is,, when and for how long). If necessary, assign a specific person to control logs and ensure evidence is signed out by the person using it. Restrict access to sensitive evidence.

Always use safe work procedures to handle hazardous products (for example,, biohazards) and incident debris (for example,, sharp or heavy objects).





## Documentary evidence:

**Documentary evidence is any evidence that is in written (or digital) form.**

Documents related to the incident can provide valuable insight. Depending on the nature of the incident, you can review documentary evidence to verify worker orientation and training, understand related job procedures, or confirm equipment maintenance. Documents can also help to verify physical and psychological job demands, and verify PPE requirements if that is necessary.

Documentary evidence can provide valuable information about contributing factors.

### Examples of documentary evidence

- Equipment manuals
- Operator log books
- Orientation and training records
- Worker concerns
- Legislation and industry standards for the work performed
- Investigation reports from similar incidents
- Maintenance records
- Inspection records
- Safe work procedures
- OHC minutes



## **Interview evidence:**

**Interview evidence is any evidence that is relayed by a witness.**

This includes what they have personally seen, heard, or experienced. Some of the most important information in the investigation comes from witnesses.

Effective witness interviews are critical to the success of an investigation. It is important to plan out interviews and use experienced interviewers.

When planning interviews, identify who to interview and think about what information the interview may provide.

## **Consider the following:**

- Who was involved in the incident, saw it, or was first on the scene?
- Who knew what was happening right before the incident?
- Who else may have related information such as course providers, technical experts, or other employees?



### Forklift incident scenario

**After watching the video summarizing a workplace incident, the following information was learned:**

There was a recent shift change between day shift and night shift.

Worker 1 was finishing his day shift. Worker 2 was beginning his night shift.

At the end of his shift, Worker 1 parked the forklift where he normally parks it. Worker 1 left the workplace.

The forks were lifted and loaded with a pallet of pipe material.

Worker 2 was recently hired. He was asked to operate the forklift.

Worker 2 started the equipment and it instantly jerked forward.

Worker 2 gained control of the machine. At that point, Worker 2 noticed the forks were lifted and loaded with a pallet of pipe material.

Worker 2 let the forklift remain running and did not engage the forklift's emergency parking brake.

Worker 2 dismounted the forklift and walked around to inspect the load.

As Worker 2 was inspecting the load, the forklift rolled forward and pinned him between the forklift load and a post. This resulted in an injury to Worker 2.

Immediately, the scene was secured and Worker 2 was taken for medical care.

The supervisor notified the ministry was notified.

Once the ministry investigated, the scene was released back to the employer.

The employer and OHC began collecting evidence.

#### **Main question:**

**Based on the scenario from the video, what evidence can we collect?**

1. What physical evidence can we collect?

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2. What documentary evidence can we collect?

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3. Who could be potential witnesses for interview evidence?

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As much as is possible, plan to interview witnesses within the first 24 hours of the incident.

Interview witnesses alone, not in a group.

Schedule interviews in a neutral and private place where you can speak without interruption.

When witnesses talk to each other, it can cause contamination around the actual memory of what happened. It is common to see and hear contradictions in witness statements.

Therefore, especially in the first 24 hours, keep witnesses from talking with each other about the incident. This helps ensure that witness statements are recorded while memories are still fresh, and that witness's statements accurately convey their view.

### *Use effective information gathering techniques*

- 1.**
  - Gather basic information from each witness.
  - Start with general questions and then go into detail.
  - Clear up uncertainties. Be an active listener.
- 2.**
  - Ask each witness to describe how they became aware of the incident.
- 3.**
  - Ask each person to describe what they heard, felt and did before, during and immediately after the incident. Let the witness explain events in their own words.

### **When interviewing witnesses, use a combination of the following four types of questions:**

- 1. Specific questions** - Prompt the witness to give specific details about the incident  
Example: What time did you arrive at the scene of the incident?
- 2. Clarifying Questions** - Prompt the witness to give additional details about the incident  
Example: Who else was there?
- 3. Open-ended questions** - Prompt a long and thoughtful response from the witness, allowing them to share more of their perspective of the incident  
Example: Can you describe the position of the damaged tools, equipment and machinery?
- 4. Close-ended questions** - Can be answered with a simple "yes" or "no".  
Limit the use of this type of question  
Example: Did you see the equipment moving?

### **Plan the interview:**

As much as is possible, plan to interview witnesses within the first 24 hours of the incident. Interview witnesses alone, not in a group. Especially in the first 24 hours, keep witnesses from talking with each other about the incident. This helps ensure that witness statements are recorded while memories are still fresh, and that witness's statements accurately conveys their view.

When witnesses talk to each other, it can cause contamination around the actual memory of what happened. It is common to see and hear contradictions in witness statements. Lastly, schedule interviews in a neutral and private place where you can speak without interruption.

When conducting interviews, remember that an incident investigation interview is not an interrogation. Contradictions and conflicts in witness statements are normal. People interpret information differently. The same events seen from different angles and distances may look different.

### **When interviewing witnesses, create a positive environment by following these interview tips:**

- Treat everyone with respect
- Be sensitive to the emotional condition of each witness
- Create an informal environment
- Reassure each witness
- Let the witness talk without interruption
- Don't rush but keep the interview on topic
- Take notes and record critical information
- Review each person's written statement with them and have them sign and date the statement at the bottom of the page



### *Sample questions*

- When did you find out about the incident? How?
- What time did the incident occur? Where?
- Who was involved (that is,, supervisors, injured workers, witnesses, first responders, etc.)?
- What work was being done before and at the time of the incident?
- What had the supervisor instructed the workers to do?
- What supervision and training were provided?
- What was being used to do the work (for example,, tools, equipment, machinery, supplies, chemicals, etc.)?
- What was the condition of the work environment before, during and after the incident (that is,, weather, noise, chemicals, smells, temperature, distractions, etc.)?
- What was moved or repositioned after the incident (including casualties)?
- What tools, equipment, supplies and people were brought to the incident scene to respond?
- How did the response and rescue crews perform?
- How do you think a similar incident could be avoided? (Asking each person's view about how to prevent the incident may help you develop recommendations for corrective action(s).)

### Keep the interview on track

Use the goals of your interview and your list of interview questions to keep the interview on track. Ask questions that require specific answers to keep statements from wandering.

### Take notes

Make your notes complete, specific and legible. Keep separate notes for each interview. Use notes to help follow up interviews.

Find someone to help take notes, so the interviewer can focus on the interview. Concentrate on recording the key facts.



### Use written statements

There are no regulatory requirements for OHCs, representatives or employers to take signed written statements during incident investigations. Some OHCs prefer to have the employer take written statements.

If you decide to obtain written statements, take them near the end of your investigation after you are satisfied that you know what happened. Review each statement with the person who gave it before it is finalized. Clear up any uncertainties before the statement is signed.

Take written statements only from those who can provide critical information.

#### *What to include in a statement*

Add on the top or bottom of each page of each statement:

- Name of the person being interviewed
- Page number and the total number of pages in the statement.
- Date.

This can prevent confusion if statements get mixed together or pages become separated. Identify who conducted the interview on the first page of each statement.

### Follow up

Conduct follow up interviews as new information surfaces.



Watch a witness being interviewed following the forklift incident.

1. After watching the video, do you think any mistakes were made during the interview?

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Let's try that interview again!

1. After watching the video, what do you think the interviewer did differently this time?

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1. What are the six (6) steps in the investigation process?

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2. Which of the following is not documentary evidence?

- a. The equipment operators log book.
- b. A broken machine guard.
- c. A safe operating procedure.
- d. A worker training record.
- e. Answers a, c, and d.

3. Which of the following is not a responsibility of the investigation team?

- a. Determine potential witnesses.
- b. Gather physical and documentary evidence.
- c. Determine the cost of the incident.
- d. Take photographs of the scene.
- e. Answers a, b, and d.

4. Which type of questions should be used when interviewing witnesses?

- a. Open ended.
- b. Specific.
- c. Clarifying.
- d. All of the above.



# Module seven

Analyze evidence and determine incident causes

Learner handbook



*Work to live.*



### This module will:

- ✓ Determine how to analyze evidence using incident factors.
- ✓ Demonstrate how to determine direct, indirect and root cause.
- ✓ Review the 5 why technique for determining root cause.

As learned earlier in this course, the purpose of an incident investigation is to ultimately make the workplace healthier and safer. An effective investigation can help a workplace understand what happened and why by identifying substandard acts and conditions.

In this module learn how to analyze the evidence that has been collected and determine the direct cause, indirect causes and root causes of the incident.

Analyzing evidence is examining findings in detail, explaining it, and interpreting it.

### 3

#### **ANALYZE EVIDENCE**

- Examine findings in detail and consider what they reveal about the incident.
- Match the physical and documentary evidence with the interview evidence.
- Consider what substandard actions and/or conditions may have been contributing factors.

Many causation models have been proposed since Heinrich's 1931 domino theory.

This course uses the five factors model of incident causation because it is a simple way to illustrate that the causes of any incident can be grouped into five categories:

- People
- Material
- Task
- Environment
- Equipment

# Five factors model

## Analyze the incident factors


Analyze evidence by going through each stage of the incident to evaluate how people, material, task, environment, and equipment may have contributed to the incident.

### People factors

Examining people factors can help to gain an understanding of why the people involved in the incident behaved the way they did and what their physical and mental conditions were.

**Some examples of questions to ask for people:**

- Was there pressure to complete tasks under a deadline, or to by-pass safety procedures?
- Were the workers experienced in the work being done?
- Had the workers been adequately trained?
- Was there direct supervision?
- Could the workers have been tired?

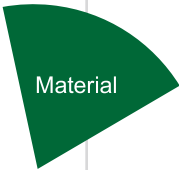


### Material factors

Examining material factors can help to determine what substances and materials were involved in the incident and how they might have affected the outcome.

**Some examples of questions to ask for material:**

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




### Environment factors

Examining environment factors can help to determine if there were sudden environmental changes, such as weather, or other physical work environment factors that affected the incident.

**Some examples of questions to ask for environment:**

- Was noise a contributing factor?
- Was poor housekeeping a contributing factor?
- Was there adequate light or a glare?
- What were the weather conditions?
- Were toxic gases, dusts, or fumes present?




### Task factors

Examining task factors can help to determine if and how existing work standards were being followed at the time of the incident or perhaps there was no existing standard in the first place!

**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?
- Was a proper lockout procedure used?
- Have jobs been ergonomically assessed?
- Was the worker(s) involved aware of the existing standards and procedures?


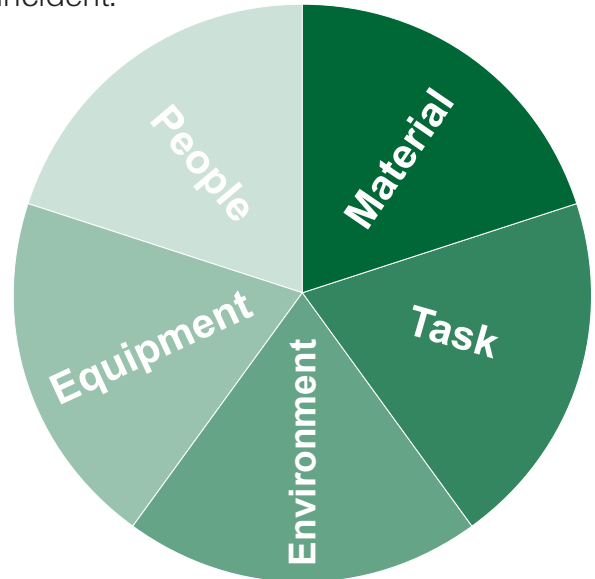


### Equipment process

Examining equipment factors can help determine if equipment was involved in the incident and in what way it was involved.

**Some examples of questions to ask for equipment:**

Do records confirm that regular maintenance occurred?  
Was regular maintenance carried out?  
Was there an equipment failure?  
Was the right tool being used for the task?  
Were all safety guards in place on the machine?  
Was the tool damaged in any way?

# Forklift incident scenario activity three

## Module seven Analyze evidence and determine incident causes



### Analyze the evidence

Consider the incident and the evidence we gathered.

#### What questions would we have and which factor category do they apply to?

Some questions may fall into more than one category (ie Supervision).

**People**

**Task**

**Material**

**Equipment**

**Environment**

### Determine incident causes

Once your analysis is done, you can determine the incident's direct, indirect, and root causes.

If any additional information is needed at this point, follow-up interviews may be necessary.

#### *Direct cause*

The direct cause is what produced the actual physical harm. The direct cause can be described as an exchange of energy. It usually occurs immediately before an incident. There is usually only one direct cause.

#### **Examples of direct causes include:**

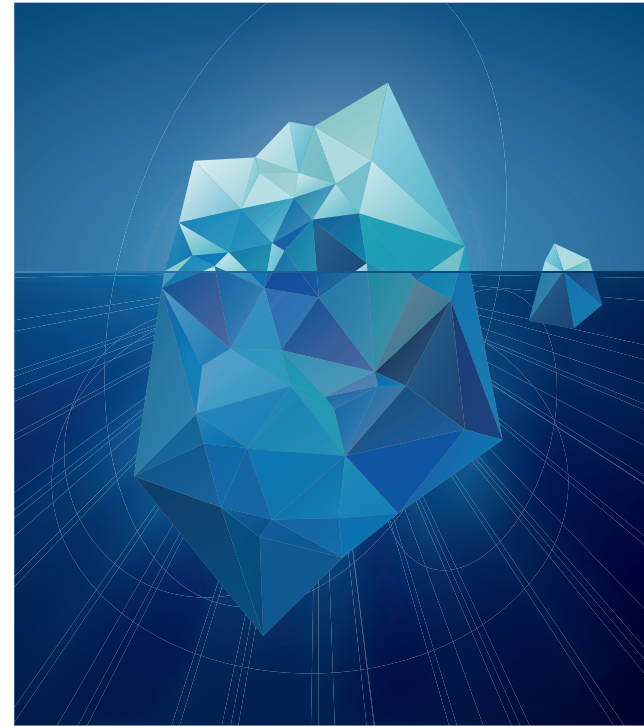
- A worker fell to the same level.
- An object dropped off the shelf.
- An object Hit the worker's foot.
- The worker slipped on ice.
- The worker's tool contacted an energy source.

#### *Indirect causes*

The indirect cause identifies what working conditions set the stage for the incident. Think about what substandard acts and conditions contributed to the incident. There is often more than one indirect cause.

#### **Examples of indirect causes include:**

- Inadequate PPE.
- Defective equipment.
- Insecurely stored materials.
- Improper lifting.
- Inadequate ventilation.
- Substandard housekeeping.



### *Root causes*

The root cause is the fundamental, underlying, system-related reason why an incident occurred. It is root causes allow the substandard act and conditions to exist. Usually, they involve gaps in the employer's health and safety system. An incident can have more than one root cause.

#### **Examples of root causes include:**

- Improper material handling
- Substandard maintenance
- Inadequate hazard controls
- Substandard supervision
- Inadequate hazard identification and risk assessment
- Inadequate or unclear instruction

### **The 5 Why's technique to determine root cause**

To find the root cause, the investigation team can use the 'five Why's technique.

#### **Step 1: Define the problem.**

This is the direct cause of the incident.

#### **Step 2: Proceed with asking 'why' until you reach the root cause.**

This is usually accomplished after five questions.

<b>What is the problem?</b>	
<b>Why?</b>	
<b>Why?</b>	
<b>Why?</b>	
<b>Why?</b>	
<b>Why?</b>	



### Recall the forklift incident scenario.

What was the direct cause of the incident?

What were some indirect causes of the incident?

Use the five Why's technique to determine the root cause of the incident.

What is the problem?	
Why?	
Why?	
Why?	
Why?	
Why?	

# Knowledge check



1. There are three types of incident cause. What are they?

- a. Direct, indirect, root.
- b. People, equipment, material.
- c. Obvious, underlying, root.
- d. Formal, informal, root.

2. Identify the categories in the five factor model:

- |  |   |                                      |
|--|---|--------------------------------------|
| <input type="checkbox"/> people              | <input type="checkbox"/> material             | <input type="checkbox"/> training    |
| <input type="checkbox"/> procedure           | <input type="checkbox"/> equipment            | <input type="checkbox"/> task        |
| <input type="checkbox"/> supervision         | <input type="checkbox"/> maintenance Schedule | <input type="checkbox"/> environment |
| <input type="checkbox"/> root cause analysis |   |                                      |

3. What is an example of a direct cause?

- a. Lack of a positive safety culture.
- b. Inadequate design of equipment.
- c. Unclear workplace procedures.
- d. Falling down a flight of stairs.



# Module eight

## Complete an investigation report

Learner handbook



*Work to live.*



### **This module will:**

- ✓ Determine the requirements of the investigation report.
- ✓ Determine how to develop recommendations for corrective actions.
- ✓ Determine how to implement corrective actions.
- ✓ Review communication methods and how to follow up.

The final steps in the investigation process are to complete the report and to follow up. These steps are critical to preventing the reoccurrence of incidents.

An employer, in consultation with the OHC, has a duty to investigate certain accidents that cause the death of a worker or cause a worker to be admitted to hospital for 24 hours or more. This duty is to ensure that these types of accidents are investigated, as soon as reasonably possible by the OHC co-chairpersons or their designates, by the employer and the representative or if there is no OHC, by the employer. Legislation specifies what the written report is to include.

An employer, in consultation with the OHC has a duty to also investigate dangerous occurrences.

The above is a summary of the legislation below. Please refer to the most current legislation for full details.

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

3-18(1) Subject to section 3-19, 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) if 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 3-20 of the Regulations, *Investigation of dangerous occurrences***

3-20(1) An employer, contractor or owner shall ensure that every dangerous occurrence as defined in subsection 2-3(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) if 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.

**Write the report in simple, easy to understand language. Some things the report should cover include:**

- A description of what happened
- Any graphics, photos or other evidence that may help determine causes
- An explanation of the incident causes
- The immediate corrective actions that were taken to protect workers until a permanent solution can be implemented
- Any long-term action that will be taken to prevent the occurrence of a similar incident

### Investigation report content

This section will take you through the process of filling out an investigation report form and what to include in each section.

**The sections in an investigation report form are:**

- Summary
- Evidence
- Causes
- Corrective Actions

**For the first section of the report, summarize the incident or dangerous occurrence.**

**Include:**

- The name and occupation of the worker(s) involved.
- The nature of the injury and body area affected by the injury (if applicable).
- The date, time, and specific worksite location where the incident occurred.
- A description of the task including the equipment or tools involved.
- A description of the working conditions and circumstances at the time.
- A detailed account of the events leading up to, during, and following the incident.

**Unlike committee meeting minute forms, there is no standard investigation report form. Your company can develop their own form to suit their organizational needs.**

Next, **include the evidence collected during the investigation.** Include if applicable:

Maps

Drawings or  
sketches

Photographs  
and video

Documentary  
evidence

Witness  
statement

Be sure to **summarize the identified direct, indirect, and root cause(s).** Include details about what was found and how it was found.

The corrective actions required will depend on workplace needs. In this section of the report, **identify the immediate corrective actions that were taken.** Think about what was done to immediately prevent a re-occurrence of the incident.

Next, **identify the long-term corrective actions that will be taken,** or if no corrective action was taken list the reasons why not. Long-term action should correct the root cause of the incident. We will review in the next step how to provide recommendations for corrective actions.

### Develop recommendations

The goal of the OHC is to provide the employer with clear recommendations that address the identified root cause(s).

**Recommendations should align with the following best practices:**

- They should be specific and easy to understand.
- They should be written in a constructive way.
- They should address root cause(s) of hazards.
- They should identify all contributing factors (indirect causes).
- They should include a suggested timeline to keep track of implementation progress.

OHCs or representatives deciding what recommendations to make for corrective actions can benefit from using the S.M.A.R.T. acronym to help their corrective actions be as successful as possible.

## SMART GOALS INFOGRAPHIC





From previous modules, recall the video that summarized a forklift incident. Now it's time to develop recommendations for corrective actions. When you used the five Why's methodology, what were the root causes of the incident? Write your recommendations to eliminate (or control) the root causes.

**Root cause:**

**Short-term corrective actions:**

**Long-term corrective actions:**



Any controls that the employer decides to implement should ultimately prevent a reoccurrence of similar incidents. Consider the hierarchy of controls when writing your recommendations. Remember some situations may require more than one control.

As reviewed earlier in the course, short-term recommendations temporarily control the hazard and can be implemented immediately to protect workers until a permanent solution can be implemented. Long-term recommendations remove (or control) the root cause and address underlying causes of the substandard act or condition.

Section 3-17 of the Regulations states that on written notice by the OHC or the representative of an unsafe condition or a contravention of the law, the employer must:

1. Take immediate steps to protect the health and safety of any worker who may be at risk until the unsafe condition is corrected.
2. Correct the unsafe condition as soon as possible.
3. Inform the OHC or representative in writing, of:
  - a. The actions that the employer has taken or will take.
  - b. The employer's reasons for not taking action.

The employer corrects problems identified in the investigation report. This includes making final decisions on:

- Health and safety system improvements to make.
- Hazard controls to use.
- Resources to allocate.
- Responsibilities and accountabilities to assign.

The OHC or representative helps the employer by providing input and checking the effectiveness of the employer's actions.

The corrective action required to correct problems depends on workplace needs. There is no master plan for all workplaces. The employer and workers in each workplace must cooperate to develop solutions suited to their needs.

Use industry health and safety literature (for suppliers, manufacturers, employer associations, etc.), to identify specific workplace hazard controls.



**After the incident occurs, the employer and the OHC are required to take additional follow up action. These responsibilities include:**

- Inform workers about the incident and the implemented corrective actions.
- Monitor the effectiveness of the corrective actions implemented.

The OHC or representative should provide continuous input and monitor the effectiveness of the employer's implemented corrective actions. When monitoring, consider:

Did the implemented corrective action mitigate the risk posed by the hazard(s) to an acceptable level?

Is the risk from the original hazard contained?

Are similar situations in other areas controlled?

Are new hazards addressed effectively?

Have workers been informed and trained?

Is the health and safety system updated for the new situation?

Are additional controls required?



When informing workers about the incident, be careful not to disclose any confidential information or personal details. OHC minutes must be posted in a conspicuous location and can help to communicate information about the hazards involved in the incident, the short-term controls put in place, and the planned long-term controls.

Make sure workers know what is happening. Use inspection reports and OHC minutes to communicate:

- The hazards and system problems involved in the mishap.
- What short term controls are used (that is, what is being done now).
- What will be done to remove or permanently control any identified hazards and fix the health and safety system (that is,, long term controls).

The employer can help by asking supervisors to communicate this information to workers during toolbox talks, worker training and orientation.

The OHC or representative can check to confirm that the employer carries out each corrective action. Find out if the action taken by the employer has solved the problem. Tell your employer about any worker or supervisor concerns about what was done.



1. What information must the investigation report include?

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2. Short-term corrective actions are:

- a. Designed to correct the root cause.
- b. Implemented immediately to protect workers until a permanent solution can be put in place.
- c. Implemented by the OHC inspectors.
- d. Only last a short time.

3. Long-term corrective actions are:

- a. Designed to correct the root cause.
- b. Implemented immediately to protect workers until a permanent solution can be put in place.
- c. Implemented by the OHC.
- d. Only used as a last resort.

4. Recommendations for corrective action(s) should:

- a. Be specific.
- b. Address root cause.
- c. Include a suggested timeline.
- d. All of the above.



# Module nine

## How to investigate a work refusal

Learner handbook

**WorkSafe**<sup>TM</sup>  
SASKATCHEWAN

*Work to live.*



### This module will:

- ✓ Determine how to investigate a worker's refusal to do unusually dangerous work.
- ✓ Review the criteria the OHC shall use to determine if a work refusal is valid.
- ✓ Review the six steps a worker shall use when refusing to do work they believe is unusually dangerous.

**Every worker has the right to refuse** to perform any specific job or task which they have reasonable grounds to believe is unusually dangerous.

The danger may be to them self or any other person at the workplace.

Saskatchewan was the first Canadian jurisdiction to provide a worker with the right to refuse unusually dangerous work

This workers right is found in Section 3-31 of the Act, *Right to refuse dangerous work*.

### **Section 3-31 of the legislation, *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.

The refusal to do work remains in place until sufficient steps have been taken to satisfy the worker otherwise or until the OHC has investigated the matter.

**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*

Work refusals apply only to occupational health and safety issues, not personal issues or labor issues.

When exercising the 'right to refuse', the refusing worker is protected from discriminatory action, and cannot be penalized.

## **Section 3-35 of the legislation, *Discriminatory action prohibited***

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

- (a) acts or has acted in compliance with:
  - (i) this Part or the regulations made pursuant to this Part;
  - (ii) Part V or the regulations made pursuant to that Part;
  - (iii) a code of practice issued pursuant to section 3-84; or
  - (iv) a notice of contravention or a requirement or prohibition contained in a notice of contravention;
- (b) seeks or has sought the enforcement of:
  - (i) this Part or the regulations made pursuant to this Part; or
  - (ii) Part V or the regulations made pursuant to that Part;
- (c) assists or has assisted with the activities of an occupational health committee or occupational health and safety representative;
- (d) seeks or has sought the establishment of an occupational health committee or the designation of an occupational health and safety representative;
- (e) performs or has performed the function of an occupational health committee member or occupational health and safety representative;
- (f) **refuses or has refused to perform an act or series of acts pursuant to section 3-31;**
- (g) is about to testify or has testified in any proceeding or inquiry pursuant to:
  - (i) this Part or the regulations made pursuant to this Part; or
  - (ii) Part V or the regulations made pursuant to that Part;
- (h) gives or has given information to an occupational health committee, an occupational health and safety representative, an occupational health officer or other person responsible for the administration of this Part or the regulations made pursuant to this Part with respect to the health and safety of workers at a place of employment;
- (i) gives or has given information to a radiation health officer within the meaning of Part V or to any other person responsible for the administration of that Part or the regulations made pursuant to that Part;
- (j) is or has been prevented from working because a notice of contravention with respect to the worker's work has been served on the employer; or
- (k) has been prevented from working because an order has been served pursuant to Part V or the regulations made pursuant to that Part on an owner, vendor or operator within the meaning of that Part.

Section 3-35(f) of the Act, *Discriminatory action prohibited*

The right to refuse is the right of an individual right, not the right of a group.

When a worker refuses a job, they are expected to stay at the site unless the employer advises otherwise.

Three criteria used to determine if work is unusually dangerous:

A danger that is not normal for the job

**Example:** such as repairing a roof in dangerous winds.

A danger that would normally stop work

**Example:** such as operating a forklift with a flat tire.

A situation for which you are not properly trained, equipped or experienced to do the work assigned

**Example:** such as cleaning windows on a tall building with no fall protection, equipment or training

An **unusual danger** could include one, two, or all three of the criteria.

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

When the OHC investigates, the standard investigation procedures covered in the last few modules should be followed.

**Standard investigation procedures are summarized in the following points:**

- Collect and analyze physical, and documentary evidence
- Conduct interviews with the supervisor and the worker
- Determine direct, indirect, and root causes
- Complete an investigation report

These responsibilities are outlined in Section 3-27(e) of the Act, *Duties of committees*.

### Steps for refusing unusually dangerous work

As a worker, if your supervisor or employer asks you to perform a specific job or task that you have grounds to believe is unusually dangerous, you have the right to refuse to do the task.

Follow these steps to resolve a work refusal:

1. The employee informs their employer or supervisor that they are refusing work because of a health or safety concern pursuant to section 3-31 of the Act. The supervisor asks the employee which task or tasks they are refusing and why they believe the work is unusually dangerous. This should be documented in writing.
2. The employee should not leave the worksite without their employer's permission.
3. If the worker and the supervisor cannot resolve the concern to the worker's satisfaction, they contact either co-chair in the OHC or their workplace occupational health committee.
4. The OHC investigates the refusal to determine if there are reasonable grounds to refuse the work. The OHC's decision must be a unanimous vote for or against the refusal.
5. If the refusal cannot be resolved within the workplace, contact the occupational safety division at the Ministry of Labour Relations and Workplace Safety by calling 1.800.567.7233.
6. An occupational health officer will investigate the refusal and provide a written decision on the matter.



### Reassignment of the refusing work and the disputed task

During the work refusal, the supervisor of the refusing worker can reassign the refusing worker to another job. They can also request another worker to perform the disputed job if the supervisor advises the replacement worker in writing the following:

1. That there is an active work refusal and why
2. The reasons why the supervisor believes that the disputed job can be done safely
3. Replacement worker also has the right to refuse the disputed job and what steps to follow should the worker wish to exercise that right

Section 3-34 of the Act, *Other workers not to be assigned*

### **\*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*

### **A work refusal ends only when either:**

- Sufficient steps have been taken to satisfy the refusing 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*



1. When exercising the right to refuse, the Ministry recommends that a worker follows six steps. Put these steps in order (1-6).

- \_\_\_\_\_ 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).

2. A worker has a right to refuse work, if the worker has reasonable grounds to believe that work is unusually dangerous.

What are the criteria to determine if work is considered unusually dangerous? Select all that apply.

- A danger that is not normal for the job.
- A danger that is normal for the job and is controlled.
- A danger that would normally stop work.
- A situation for which a worker is not properly trained, equipped or experienced to do the work assigned.
- A task must be done in groups of two.

# Summary

The occupational health committee – Level two has dived deeper into the specific roles and responsibilities for inspections and investigations. We have learned purpose and importance of inspections and incident investigations.

For inspections, we reviewed and defined the types of inspections, the set up and plan for inspections and the inspection process.

Additionally for incident investigations, we learned what incidents and dangerous occurrences are required to be reported, how to conduct investigations, how to develop a report and create effective corrective actions.

It is important to remember that this course does not make you an expert.

It is designed to give you an overview of how to understand the inspection system and the incident investigation process. These procedures and processes are different for every employer and require specific elements depending on the industry and workplace. It is encouraged to always continue learning and creating the best system no matter what workplace you are in.



## **This course answered:**

- ✓ What the role of the OHC or representative is in inspections and workplace investigations.
- ✓ What is the purpose of workplace inspections and what are the types of inspections.
- ✓ How to plan an inspection.
- ✓ How to conduct an inspection.
- ✓ How to handle inspection results.
- ✓ How to review inspection systems.
- ✓ What to investigate and why.
- ✓ What are the regulatory requirements for investigation workplace incidents and dangerous occurrences.
- ✓ How to preserve the scene and collect and analyze evidence for an investigation.
- ✓ Purpose and use of basic root cause analysis.
- ✓ How to develop a workplace investigation report.
- ✓ How to act following a workplace investigation.
- ✓ How to investigate a work refusal.

# Appendix A: Incident investigation report form

<b>Incident investigation report form</b> (Adapt to suit your needs)			
Company or division:		Department:	
Location:		Date:	Time: AM PM
Reported to the Ministry? Yes <input type="checkbox"/> No <input type="checkbox"/>	Date reported:	Contact/ Phone:	
Injury or illness	Type of incident (fall, cut, etc.)	Property damage	
Name of injured worker:	Description:	Description:	
Experience:		Severity of damage/loss:	
Occupation:	Object or substance inflicting harm:	Collateral damage to equipment/ object/substance related to incident:	
Exact location of incident:			
Part of body affected:	Person in control of activity:	Estimated cost:	
		Final cost:	
Nature of injury or illness:	Number of work days lost:	Supervisor:	
Summarize how the incident happened.			

# Appendix A: Incident investigation report form

<b>Incident investigation report form</b> (Adapt to suit your needs)
Summarize the direct cause.
Summarize the indirect and root causes.
What actions are recommended to control the immediate causes of the incident?
Describe what actions are recommended to control the root causes of the incident.

# Appendix A: Incident investigation report form

Incident investigation report form (Adapt to suit your needs)			
Sketch the site of the incident.			
Physical evidence	Condition	Where stored?	Contact person
Witness	Phone number	Where and when witnesses work	
Investigators	Position on OHC	Signature	
1.			
2.			
Signature of OHC co-chairpersons			
Employer co-chairperson Worker co-chairperson			

# Appendix B: Incident investigation witness interview

<b>Incident investigation witness interview</b> (Adapt to suit your needs)		
Witness:	Interviewer(s):	Page ____ of ____
Position/title:	Position/title(s):	Date:
		Time:
		Place:
Describe what you saw/did/heard before the incident (attach/staple more sheets as needed).		
Describe what you saw/did/heard during the incident.		
Describe what you saw/did/heard after the incident.		

# Appendix B: Incident investigation witness interview

<b>Incident investigation witness interview</b> (Adapt to suit your needs)		
Witness:  Position/title:	Interviewer(s):  Position/title(s):	Page ____ of ____  Date:  Time:  Place:
List questions that deal with the statement, knowledge of the hazards, job procedures, training, supervision, etc.		
List questions that are not covered by other questions you have asked.		
Ask witness how they think the incident may have been prevented.		



*Work to live.*