Occupational Health and Safety Regulations
Northwest Territories

Project Management Conference 2015
Safety First
Emergency Exits
My Goal for Today

• Talk about the **Changes** that took place June 1st
• Answer questions about the **Challenges**, address concerns
• Help you identify **Opportunities** for compliance in your work place
• #1 Goal: Ensure our workplaces are safe!
Change, Challenge and Opportunity

- Change from the way we look at Safety
- Challenge is how do we do this
- Opportunity the new regulations provide
# Body Part and Types of Claims

<table>
<thead>
<tr>
<th>Body Part</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>External eye</td>
<td>Sprains, strains, tears, unspecified</td>
</tr>
<tr>
<td>Knee(s)</td>
<td>Cuts, lacerations</td>
</tr>
<tr>
<td>Fingers, except thumb</td>
<td>Foreign bodies (splinters, chips)</td>
</tr>
<tr>
<td>Low(er) back, unspecified location</td>
<td>Bruises, contusions</td>
</tr>
<tr>
<td>Thumb or thumb and other finger(s)</td>
<td>Soft tissue injury</td>
</tr>
</tbody>
</table>
Who must comply with the Safety Act and the OHS Regulations?

• Easier to say who is not regulated
  ✗ Mines (Mine Health and Safety Act and Regs)
  ✗ Federal employers (Canada Labour Code)
Occupational Health and Safety Regulations

Statute
Safety Act

Regulations
OHS Regulations
Delegated from the Statute

Quasi-legislation
Codes of Practice
Provide practical guidelines
Objectives – OSH Regulations

• Internal Responsibility System (IRS)
  – Facilitate partnerships: workers, employers, suppliers, and government
• Harmonize with other Canadian jurisdictions
  – Harassment and violence
  – Safe work zones
• Reorganize regulations by theme
• Separate quasi-legislation from the regulations (CSA Standards)
• Make applicable to the North
Stage of a Construction Project

• Contract – 5 W’s and How
• Building – refer to the contract the 5 W’s and How
• Evaluate – lesson learned
**Safety Act**

4. (2) If two or more employers have charge of an establishment, the principal contractor or, if there is no principal contractor, the owner of the establishment, shall coordinate the activities of the employers in the establishment to ensure the health and safety of persons in the establishment. S.N.W.T. 2003,c.25,s.3.
Supervisor

- "supervisor" means an individual who is authorized by an employer to oversee or direct workers; (superviseur)
Supervision of Work

Section 16. of the OHS Regs

An employer shall ensure that, at a work site,

- work competently supervised;
- supervisors have sufficient knowledge of the following:
  - occupational health and safety program applicable to workers
  - safe handling, hazardous substances,
  - personal protective equipment,
  - emergency procedures
  - other matters to ensure the health and safety of workers;
- supervisors completed an approved regulatory familiarization program
- supervisors comply with the Act and these regulations.
Changes

**NEW**
- Hazard Assessment
- Supervisor OHS education
- Robotics
- Explosives
- Forestry and mill operations
- Additional protection for:
  - Electrical workers
  - Health care workers
  - Firefighters

**INTEGRATION**
- Asbestos
- Smoking in the work site
- Silica
- WHMIS2015

**OTHER CHANGES**
- OHS Committees
- First Aid Requirements
- Personal Protective Equipment
- Noise Control
- Hearing Conservation
- Machine Safety
- PME
- Scaffolds
- Hoists and Cranes
- Rigging
- Entrances, Exits and Ladders
- Excavations
- Confined Space Entry
- Compressed Air
- Chemical and Biological Exposure
- Fire and Explosion Hazards
- Demolition Work
OCCUPATIONAL HEALTH AND SAFETY REGULATIONS

Written Plans, Records, and Logs

Accurately documenting work activities helps ensure:
- employers, supervisors, and workers follow safe procedures;
- they properly inspect and maintain equipment; and
- workers have appropriate training to perform their work.
Written Plans, Records, and Logs

Accurately documenting work activities helps ensure:
- employers, supervisors, and workers follow safe procedures;
- they properly inspect and maintain equipment; and
- workers have appropriate training to perform their work.

Check our web site Notice and Approvals for templates and forms
Codes
As published in the **Northwest Territories Gazette**

- Hazard Assessment
- Asbestos Abatement
- Traffic Control Person
- Thermal Conditions
- Personal Protective Equipment (10)
- Confine Spaces
- Joint Occupational Health and Safety Committees
- Occupational Health and Safety Education – Supervisors
- Working Alone
- Camp Set up & Management
- OHS Training
- Return to Work
Occupational Health & Safety (OHS)

- Joint OHS Committee
- OHS Program
Joint OHS Committee

- Part 4 Joint OHS Committee and Representative
  - 20 or more workers
    >90 days must have a committee
  - Fewer than 20 workers the employer designates safety representative
OHS Program: Large Business

- Part 3 General Duties
  - 20 or more workers
  - Directed by the CSO

Must have a program; sec 21(2)

<table>
<thead>
<tr>
<th>Statement</th>
<th>Training</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hazards Identification</td>
<td>Investigation</td>
</tr>
<tr>
<td>Emergency</td>
<td>Worker participation</td>
</tr>
<tr>
<td>Statement of responsibilities</td>
<td>Review</td>
</tr>
<tr>
<td>Inspection</td>
<td></td>
</tr>
<tr>
<td>Plan – control hazards</td>
<td></td>
</tr>
</tbody>
</table>
OHS Program: Small Business

Less than 20 workers

**Safety Act 4**
- maintain establishment in such a manner that the Health and Safety of persons in the establishment not likely to be endangered

**Part 3** General Duties and Employers (Due Diligence)
- Working environments that ensure, as far as reasonably possible, the health and safety of workers

<table>
<thead>
<tr>
<th>Statement</th>
<th>Emergency Procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hazard Identification</td>
<td>Reporting</td>
</tr>
<tr>
<td>Training/education</td>
<td>Investigations</td>
</tr>
<tr>
<td>Orientations</td>
<td>Review</td>
</tr>
</tbody>
</table>
Implementation

• Education of Stakeholders
  • FAQs
  • Information sessions
• Our Officers are prepared for the change.
• Resources we continue to develop for stakeholders
  ▪ Standardised Administrative Procedures
    ▪ Notification
    ▪ Approvals
  ▪ Codes of Practice
  ▪ Information Bulletins/Templates
Approved Agency or by a Certificate

• Posted on the WSCC web site
  – Canadian Standards Association (CSA)
  – National Fire Protection Association (NFPA)
  – First Aid Providers

• Training course
  – Familiarization Course for Supervisor
On Going Review of Act and Regulations to stay current

- Act – align OHS Committee with the Regs
- Devolution; update and integrations of Oil and Gas Regulations
- Global Harmonization; WHMIS 2015
  - WHMIS.org – free training
Most Common Questions

What does my organization need to do to be compliance?

What is this going to cost?
**Safety Advisory Committee Members**

<table>
<thead>
<tr>
<th>Name</th>
<th>Region</th>
<th>Role</th>
<th>Industry/Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judy Kainz</td>
<td></td>
<td>Chairperson</td>
<td></td>
</tr>
<tr>
<td>Clarence Synard</td>
<td>NU</td>
<td>Employer</td>
<td>Construction</td>
</tr>
<tr>
<td>Imo Alda</td>
<td>NU</td>
<td>Employer</td>
<td>Government</td>
</tr>
<tr>
<td>Adam Chubbs</td>
<td>NU</td>
<td>Worker</td>
<td>Utilities</td>
</tr>
<tr>
<td>Mary Lou Cherwaty</td>
<td>NWT</td>
<td>Worker</td>
<td>Union</td>
</tr>
<tr>
<td>Sonja Boucher</td>
<td>NWT</td>
<td>Worker</td>
<td>Health Care</td>
</tr>
<tr>
<td>Stephen Moss</td>
<td>NWT</td>
<td>Employer</td>
<td>Emergency Services</td>
</tr>
<tr>
<td>Jack Rowe</td>
<td>NWT</td>
<td>Minister appointment</td>
<td>Construction</td>
</tr>
</tbody>
</table>
Conclusion

WSCC is working with employers and workers to ensure understanding and compliance. We continue to:

- Develop tools to assist stakeholders
- Raise awareness of the changes
- Present information sessions
Additional Slides
How to read Legislation

Act and Regulations refer to Sections

Section 22. (1) Every employer or person acting on behalf of an employer or person in charge of an establishment is guilty of an offence who
(a) contravenes this Act or the regulations;
(b) fails to comply with a direction made by a safety officer; or
(c) discharges, suspends or disciplines, or threatens to discharge, suspend or discipline, or otherwise discriminates or threatens to discriminate against a person because that person

(i) has testified or is about to testify in any proceeding or inquiry had or taken under this Act,
(ii) has given information to the Board or a safety officer regarding conditions of work affecting the health or safety of that person or of any of the workers with whom that person works,
(iii) is a member of a Committee or performs duties and functions as a member of a Committee, or
(iv) has exercised his or her right to refuse to work under section 13.

It is important to understand the legal implications of the words ‘and’ and ‘or’.
# Table of Contents

<table>
<thead>
<tr>
<th>TABLE OF CONTENTS</th>
<th>TABLEAU DES MATIERES</th>
</tr>
</thead>
<tbody>
<tr>
<td>INTERPRETATION</td>
<td>INTERPRETATION</td>
</tr>
<tr>
<td>APPLICATION</td>
<td>CHAMP D'APPLICATION</td>
</tr>
<tr>
<td>PART 1 PRELIMINARY MATTERS</td>
<td>PARTIE 1 QUESTIONS PRELIMINAIRES</td>
</tr>
<tr>
<td>Giving notice to Chief Safety Officer</td>
<td>Notification de l'agent de sécurité en chef</td>
</tr>
<tr>
<td>Generality of Duties Not Limited</td>
<td>Non-limitation de la généralité des fonctions</td>
</tr>
<tr>
<td>Codes of Practice</td>
<td>Codes de procédure</td>
</tr>
<tr>
<td>Certification by Professional Engineer</td>
<td>Certification d'un ingénieur</td>
</tr>
<tr>
<td>PART 2 REPORTING</td>
<td>PARTIE 2 PRODUCTION DE RAPPORTS</td>
</tr>
<tr>
<td>New Operations</td>
<td>Nouvelles opérations</td>
</tr>
<tr>
<td>Accidents Causing Serious Bodily Injury</td>
<td>Accidents causant des lésions corporelles graves</td>
</tr>
<tr>
<td>Dangerous Occurrences</td>
<td>Evenements dangereux</td>
</tr>
<tr>
<td>Medical Information</td>
<td>Renseignements médicaux</td>
</tr>
<tr>
<td>Annual Statistical Report</td>
<td>Rapport statistique annuel</td>
</tr>
<tr>
<td>PART 3 GENERAL DUTIES</td>
<td>PARTIE 3 OBLIGATIONS GENERALES DES EMPLOYEURS</td>
</tr>
<tr>
<td>General Duties of Employers</td>
<td>Obligations générales des employeurs</td>
</tr>
<tr>
<td>General Duties of Workers</td>
<td>Obligations générales des travailleurs</td>
</tr>
<tr>
<td>Young Persons</td>
<td>Personnes mineures</td>
</tr>
<tr>
<td>Duty of Principal Contractor to Inform</td>
<td>Obligation de l'entrepreneur principal de fournir des renseignements</td>
</tr>
<tr>
<td>Supervision of Work</td>
<td>Supervision des travaux</td>
</tr>
<tr>
<td>Duty to Inform Workers</td>
<td>Obligation d'informer les travailleurs</td>
</tr>
<tr>
<td>Training of Workers</td>
<td>Formation des travailleurs</td>
</tr>
<tr>
<td>Workers' Contacts with Safety Officers</td>
<td>Communication entre les travailleurs et les agents de sécurité</td>
</tr>
<tr>
<td>Biological Monitoring</td>
<td>Contrôle biologique</td>
</tr>
<tr>
<td>Occupational Health and Safety Program</td>
<td>Programme de santé et de sécurité au travail</td>
</tr>
<tr>
<td>Examination of Plant</td>
<td>Inspection des installations de chantier</td>
</tr>
<tr>
<td>Identifying Mark of Approved Equipment</td>
<td>Marque d'identification de l'équipement approuvé</td>
</tr>
<tr>
<td>Maintenance and Repair of Equipment</td>
<td>Entretien et réparation de l'équipement</td>
</tr>
<tr>
<td>Boilers and Pressure Vessels</td>
<td>Chaudières et appareils à pression</td>
</tr>
<tr>
<td>Prohibited Use of Compressed Air</td>
<td>Interdiction d'utiliser de l'air comprimé</td>
</tr>
<tr>
<td>Inspection of Work Sites</td>
<td>Inspection des lieux de travail</td>
</tr>
<tr>
<td>Investigation of Certain Accidents</td>
<td>Enquête relative à certains accidents</td>
</tr>
<tr>
<td>Preserving Scene of Accident Causing Death</td>
<td>Maintien en l'état de la scène d'un accident ayant causé la mort</td>
</tr>
</tbody>
</table>
Chief Safety Officer Approvals

General Safety Regs
(42 instances)

"approved" means approved by the Chief Safety Officer or by a testing agency acceptable to the Chief Safety Officer;

- Acceptable
- Permission
- Authorized
- Directs
- Designated

OHS Regs
(13 instances)

“approved” means

(a) approved by an agency acceptable to the Chief Safety Officer for use under the conditions specified by the agency, or

(b) approved conditionally or otherwise by a certificate of the Chief Safety Officer;

(c) approved by the Chief Safety Officer in a code of practice approved and issued under section 18(3) of the Act.