

Safety in Rural Municipalities

SARM Convention

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**OCCUPATIONAL
HEALTH & SAFETY**



Saskatchewan
Ministry of
Labour Relations and
Workplace Safety

What we will cover today:

- Legal requirements of RM's pursuant to The Occupational Health and Safety Act, 1993 and The Occupational Health and Safety Regulations, 1996
- Key safety issues in rural municipalities
- Changes to the Occupational Health and Safety act

OH&S Requirements for RM's

- Occupational Health Committees – every workplace that has 10 or more workers is required to establish a committee
- Worker – a person who is engaged in an occupation in the service of an employer
- Under OHS Act and Regulations reeves and councillors are considered workers

- **Safety Program**

- An RM that has 10 or more workers and conducts high hazard work (as prescribed in Table 7) is required to have a safety program
- Develop a safety program by doing job hazard assessment for all tasks in the workplace
- Develop safe work procedures from the assessments
- Review and assess any injuries or incidents that have occurred in the workplace

What kind of work do RMs do?

- Road work, public works – construction, maintenance **HIGH HAZARD**
- Waterworks – lift stations, treatment
- Sewage treatment ie: H₂S, exposure to controlled products, handling raw sewage
- Equipment maintenance
- Landfill maintenance
- Volunteer fire department
- Regional parks
- Office administration
- Contract work to others – Eg. road construction & earthwork, sewer and water construction, tunnelling; etc.

Does your RM have a safety program?



Why do you need a safety program?

A safety program is required by law.

A safety program will ensure that workers are working safely

The program is your RM's plan of action to prevent injuries and illnesses.

The program is your umbrella document for everything regarding safety in your RM.

What a safety program should include:

1). Policy about safety in your RM	2). Identify and control hazards	3). Deal with emergencies	4). Who is responsible for what – employer, supervisors, workers, Occupational Health Committee	5). Doing inspections
6). Control chemical and biological hazards	7). Training supervisors and workers	8). Procedures for investigations	9). Ways to involve workers	10). Evaluate your program

1). Policy about safety in your RM

A written statement approved by the elected officials that states safety is important in your RM

It should also say that substandard safety performance will not be accepted

2). Identify and control hazards

- Identify hazards regarding –
 - Confined space entry & hazardous confined space entry
 - Lock out- tag out requirements
 - the work that is done, ie: roadwork, mowing grass, firefighting, pest control, installing culverts, equipment maintenance, going down lift stations
 - the equipment that is used, ie: backhoes, scrapers, trucks, mowers etc.
 - new or changed jobs, ie: summer students, new equipment purchased, etc.
 - hazardous substances, ie: controlled products (WHMIS) in the workplace includes diesel fuel and gasoline, brake fluid, etc.

Some hazards in RMs:

- Straight cut walls in trenching
- Installing culverts; lifting culvert to lower into the trench
- Operating grader working alone ; backhoe operator working alone unplugging culverts
- Surveying on foot while traffic is driving by
- Going down lift station into potential H2S
- Equipment taken out of service but not locked out; could be started by mistake
- Using a skill saw without a guard
- Bobcat in shop; brakeline leaking; fixing breaks without locking out; someone could try to move the machine
- Mowing ditches having to work on the incline; tipping hazard
- Diesel fuel stored all over the place in unmarked containers

Controlling the hazards

Once you know what all the hazards are, you need to put steps in place to control them.

Examples of Controls:

- Redesign the work process (eg. Do workers remove and replace cutting edges by hand if so, is there a process such as using a portable crane to lift and place the cutting edges)
- Substitute a safer chemical; label chemicals properly
- Buy new equipment that is safer (eg. Cages for straight cut trenches)
- Machine guards
- Personal protective equipment (Eg. Fall protection , eye protection, hearing protection, H2S monitor, head protection)
- Training workers to do the job safely and to use their personal protective equipment
- Providing workers with competent supervision to ensure workers are working safely

3). Deal with emergencies

Your written plan for dealing with variety of emergencies that could affect your workers – fires, gas leak, extreme weather, etc.



4). Determine Who is responsible for what – employer, supervisors, workers, Occupational Health Committee

Employer – the RM Council – responsible to provide a safe workplace; ensure legal OHS requirements are met; ensure supervisors are competent

Supervisors – *“a person who is authorized by an employer to oversee or direct the work of workers”* – responsible to understand OHS requirements; supervise safely and competently; be sure workers comply with OHS and work safely

Workers – responsible to work safely; use their PPE; don't put anyone else in danger

Occupational Health Committee – responsible to provide input and advice to the RM regarding safety investigations and inspections

5). Doing inspections

This is the best thing your RM can do to identify and correct problems before they cause injuries



Look at the tools, equipment, machinery, work areas, procedures for problems

Do this regularly throughout the year

Encourage the workers that use the tools and equipment to inspect them regularly too

Have your Occupational Health Committee do some inspections

6). Control chemical and biological hazards

- MSDS sheets up to date and in the right locations
- Training records for workers on WHMIS



7). Training supervisors and workers

Supervisors:

- Learn about the OHS Act and Regulations that apply to RMs
- Be able to competently supervise the people and equipment they are supervising – Eg. Scraper, back hoe, grader , welder – How? By reading operator's manuals and knowing the safe work procedures for the jobs they are supervising
- Learn how to use PPE safely – Eg. Fall protection
- Learn about safety with chemical and biological substances – Eg. WHMIS training

Even if you don't supervise every day, you need to be trained as a supervisor

Supervising is a big responsibility

- To be “competent”, you must have knowledge, training and experience
- You don’t just watch somebody do their job, or operate a piece of equipment and say that you are supervising
- You need to know whether they are working safely or not
- If you supervise without being trained, and an employee is injured, your RM will be accountable for not making sure they supplied competent supervision at the workplace.

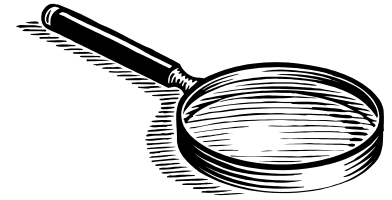


Training for workers

Workers:

- OHS Act and Regulations that apply to the RM
- Safe work procedures
- Equipment training (eg. Scraper, grader, welder)
- Proper use of PPE – (Eg. Proper use of fall protection if their job is go down a lift station)
- Proper orientation for new workers to safety in the RM

8). Doing investigations



- When an incident that causes serious bodily injury (worker hospitalized for 24 hours or more) or death
- When a dangerous occurrence occurs - Eg. Scraper tips over into the ditch. No one is injured.
- When a worker exercises their “right to refuse” – this means they have refused to do work they believe is unsafe

9). Ways to involve workers

- Ask workers if they have any safety concerns
- Get workers to participate in the OHC
- Provide competent supervision,
- don't ignore or dismiss concerns
- of workers



10). Evaluate your program

- How will you evaluate your safe work procedures? Review all injury and incident investigations, review safety log from first aid kit, etc.
- What about your worker training? Figure out what training workers are required to have and then review personnel files to ensure training is complete. If a worker is continuously having incident while operating a piece of equipment, is their training sufficient?
- What about your supervisor training? Do the supervisors know the policies and procedures, do they know the requirements of the legislation, have they received training in their duties and responsibilities and do they understand what they are.

Bill 23

- Amends (revisions/changes or additions) more than 35 sections of the *Occupational Health and Safety Act, 1993*.
- Came into force on November 7, 2012.
- Majority of amendments are based on the Occupational Health and Safety Council's 2006 recommendations.
- Amendments and new sections are also based on review of stakeholder input, best practices in industry and other jurisdictions and issues emerging since 2006 and our consultations in 2007 and 2011.

Why was Bill 23 created?

- Work on Bill 23 began in 2004.
- Saskatchewan had the 2nd highest lost-time injury rate in Canada – and still does.
- Annual WCB claim costs exceed \$200 million.
- The amendments from Bill 23 will:
 - build incident and injury-free workplaces; &
 - lower health care and worker's compensation costs.

What are the BIG changes?

Specifically, the amendments will:

- Clarify the definitions of contractor and worker;
- Establish procedures related to the creation of effectiveness of occupational health committees and health and safety programs;
- Establish appeal procedures and timelines as well as clarify the executive director's role in appeals;

Big Changes Cont'd

- Provide additional mechanisms to increase the efficiency and effectiveness of OHS investigations & prosecutions; and
- Make some additional housekeeping and consequential amendments.

**I will only speak about a few of the amendments today;
refer to your interpretive guide for all of the
amendments**

Note

- The information provided in this presentation **is not** a substitute for the legislation.
- It is intended **only** to explain the amendments to the Act and Regulations in plain language.
- For legal purposes, always reference the most current v versions of Acts and Regulations.
- Additional explanation of the amendments can be found in the Interpretive Guide.**
- Applies to all provincially regulated workplaces, including out of province businesses doing work within Saskatchewan

Section 3: General Duties of Employers

Current

- Act, Section 3(a)
- Act, Section 3(b) – current section amended
- No reference

New

- No change
- **Act 3(b)** consult and co-operate **in a timely manner** with any occupational health committee or the...

Added the phrase, “in a timely manner.” employers must be prompt in consulting and co-operating with OHC or OHS rep regarding workplace health and safety concerns
- **NEW, Act 3(c)** make a reasonable attempt to resolve, in a timely manner, concerns raised by an OHC or OHS rep pursuant to clause (b)

Employer must attempt to resolve concerns in a manner that a prudent employer engaged in the same line of business would act in similar circumstances

Section 3: General duties of employers

Current

- Act, Section 3(c)
- Act, Section 3(d)
- No Reference

New

- Now Act, Section **3(d)**. No change to text.
- Now Act, Section **3(e)**. No change to text.
- NEW, Act, Section **3(f)**, ensure that:
 - (i) the employer's workers are trained in all matters that are necessary to protect their health, safety and welfare; and
 - (ii) all work at the place of employment is sufficiently and competently supervised

This section added to increase the employers' awareness of these duties

Section 3: General duties of employers

Current

- No Reference

New

- **NEW, Act 3(g)** if the employer is required to designate an OHS representative for a place of employment, ensure that written records of meetings with the OHS representative are kept and are readily available at the place of employment
New requirement for employers to keep written records of meetings with OHS representative. Written record of meetings must be readily available at the place of employment.

Section 3: General duties of employers

Current

- No Reference
- Act, Section 3(e)

New

- **NEW, Act 3(h)** ensure, insofar as is reasonably practicable, that the activities of the employer's workers at a place of employment do not negatively affect the health, safety or welfare at work of the employer, other workers or any self-employed person at the place of employment.
- Now Act, Section 3(i). No change to text.

Section 3.1: General Duties of Supervisors

NEW Act, Section 3.1

“General duties of supervisors

3.1 Every supervisor shall:

- (a) ensure, insofar as is reasonable practicable, the health and safety at work of all workers who work under the supervisor’s direct supervision and direction;
- (b) ensure that workers under the supervisor’s direction comply with this Act and the regulations;
- (c) ensure, insofar as is reasonable practicable, that all workers under the supervisor’s direct oversight and direction are not exposed to harassment at the place of employment;
- (d) co-operate with any other person exercising a duty imposed by this Act or the regulations; and
- (e) comply with the Act and the regulations”.

Section 3.1: General Duties of Supervisors

NEW Act, Section 3.1

General duties of supervisors

- Employers delegate responsibility for health and safety to their supervisors. Essentially, this makes them liable for carrying out the employer's duties under the legislation. Therefore, while employers are accountable for the actions of their supervisors, supervisors may be held accountable for their own acts and omissions as well as those of their workers.
- Workers under the direct supervision and direction of a supervisor must be "sufficiently supervised".
- Supervisors must comply with Act and Regs and ensure that their worker's comply with Act and Regs.
- Take reasonable steps to protect their workers from harassment.
- Co-operate with OHCs, OHS Reps and OHOs.

Section 9: Duty to provide information

Current

- Act, Section 9(2)
(2) Subject to section 10 and Part VI, an employer **shall provide all required information** to the following at a place of employment:

New

- Act, Section 9 (2)
(2) Subject to section 10 and Part VI, an employer shall **keep readily available** all required information and provide that information to the following at a place of employment:

In addition to providing all required information, employers must now keep it readily available as well.

Sections 9(3), (4) and (5) remain the same defining the duties of contractors, owners, and suppliers regarding the provision of required information.

Section 13: Duty to provide occupational health and safety programs

New Sections Added

- **New Act, Section 13(6)**

(6) The director may order an employer or prime contractor to develop an occupational health and safety program for a place of employment if the director considers it to be in the interests of the health, safety and welfare of the employer's or prime contractor's workers based on the criteria set out in the subsection(8)

Subsection 13(6) grants the Executive Director of the OHS Division the authority to order employers to establish an OHS program at a place of employment. The prime contractor provision is not in force.

Table 7 of the Appendix to the regulations identifies industries that are required to establish an OHS program. There may be circumstances where a workplace not listed in Table 7 would benefit from having an OHS program. The Executive Director will consider the criteria noted in subsection 13(8).

Section 13: Duty to provide occupational health and safety programs

New Sections Added

- **New Act, Section 13(7) & 13(8)**

(7) An order issued pursuant to subsection (6) must be in writing.

(8) In making an order pursuant to subsection (6), the director shall consider the following criteria:

- (a) the frequency of occupationally related injuries and illnesses at the place of employment;
- (b) the number and nature of the notices of contravention relating to the place of employment and the history of compliance with those orders and with compliance undertakings;
- (c) any additional criteria that the director considers appropriate to protect the health, safety and welfare of workers.

Subsection 13(8) defines the criteria that must be considered in determining whether an OHS program is required at a place of employment. The additional criteria is defined in policy.

Section 15.1: Director may order additional or new occupational health committees

New

- **New Act, Section 15.1**

15.1 (1) Notwithstanding section 15, but subject to subsections (2) to (4) and the regulations, the director may order an employer or contractor to establish:

(a) an additional occupational health committee if, in the opinion of the director, the place of employment would be better served with more than one committee; or

(b) an occupational health committee to protect the health, safety and welfare of the workers if an occupational health committee is not otherwise required

(2) An order issued pursuant to subsection (1) must be in writing.

This sections gives the Executive Director the authority to issue a written order requiring an employer/contractor to establish additional OHCs at a workplace and at workplaces with less than 10 workers. Subsection 15.1(4) lists the criteria that guide the Executive Director's decision for this order. Additional criteria are outlined in policy.

Section 15.1: Director may order additional or new occupational health committees

New

- **New Act, Section 15.1**

15.1 (3) In an order issued pursuant to this section, the director may specify the composition, practice and procedures of the occupational health committee.

(4) In making an order pursuant to this section, the director shall consider the following criteria:

(a) the nature of the work performed at the place of employment;

(b) any request to establish an occupational health committee made by an employer, prime contractor, a worker or trade union representing workers at the place of employment;

(c) the frequency of occupationally related injuries and illnesses at the place of employment or in the industry with which the place of employment is associated;

(d) any additional criteria that the director considers appropriate to protect the health, safety and welfare of workers.

Part V: Section 30 - Compliance undertakings and notices of contravention

Section 30 repealed

NEW Section 30 Compliance undertakings and notices of contravention

30(1) An occupational health officer shall act pursuant to subsection (2) if the occupational health officer is of the opinion that a person:

(a) is contravening any provision of this Act or the regulations; or

(b) has contravened any provision of this Act or the regulations in circumstances that make it likely that the contravention will continue or will be repeated.

(2) In the circumstances mentioned in subsection (1), the occupational health officer shall:

(a) subject to subsection (4), require the person to enter into a compliance undertaking; or

(b) serve a notice of contravention on the person.

Part V: Section 30 - Compliance undertakings and notices of contravention

Section 30 repealed

NEW Section 30 Compliance undertakings and notices of contravention

30(3) For the purposes of subsection (2):

(a) a compliance undertaking must;

(i) be in writing and in the form approved by the director;

(ii) contain a description by the occupational health officer of the action to be undertaken by the person; and

(iii) contain the person's signed commitment to;

(A) comply or improve compliance with the contravened provision of this Act or regulation within a period specified by the occupational health officer in the compliance undertaking; and

(B) provide a progress report in accordance with section 35; and

Part V: Section 30 - Compliance undertakings and notices of contravention

Section 30 repealed

NEW Section 30 Compliance undertakings and notices of contravention

30(3) (b) a notice of contravention must;

- (i) cite the contravened provision of this Act or the regulations;
- (ii) state the reasons for the occupational health officer's opinion; and
- (iii) require the person to remedy the contravention within a period specified by the occupational health officer in the notice of contravention.

(4) An occupational health officer shall not allow a person to enter into a compliance undertaking if a provision of this Act or regulations requires that a notice of contravention to be issued.

Part V: Section 30 - Compliance undertakings and notices of contravention

Section 30 repealed

NEW Section 30 Compliance undertakings and notices of contravention

30(5) An occupational health officer may serve a notice of contravention on a person not withstanding that the person has entered into a compliance undertaking if;

- (a) the person fails to comply with the compliance undertaking or to provide a progress report in compliance with section 35; or
- (b) in the opinion of the occupational health officer, it is necessary to do so to prevent a risk to the health and safety of a worker or it is otherwise in the public interest.

Section 49(1): Appeal to director

Section 49 repealed

NEW Section 49(1) Appeal to director

49(1) In this section and in sections 50, 56 and 56.3, 'person who is directly affected by a decision' means any of the following persons to whom a decision is directed and who is directly affected by that decision:

- (a) a worker;
- (b) an employer;
- (c) a self-employed person;
- (d) a contractor;
- (e) an owner;
- (f) a supplier;
- (g) any other prescribed person or member of a class of prescribed persons;

but does not include any prescribed person or class of prescribed persons.

Section 50: Appeal to adjudicator

Current

- Act, Section 50(1)
- Act, Section 50(2)(a)

New

- **Act, Section 50(1)**
Removed “within 21 days after the date of decision” and amended to “**within 15 business days after the date of service of the decision.**”
- **Act, Section 50(2)(a)**
Removed “have a direct interest in the decision appealed against” and amended to “**who are directly affected by the decision appealed against.**”

Subsection 50(1) has been amended to clarify the timeframe (15 business days from date of service) under which a person may appeal a decision.

Section 56.4: Service

New Section 56.4 Service

56.4 (1) Unless otherwise provided in this Act, any document or notice required by this Act or the regulations to be served on any person other than the director may be served:

- (a) by personal service on the person by delivery of a copy of the document or notice;
- (b) by sending a copy of the document or notice by registered or certified mail to the last known address of the person or to the address of the person as shown in records of the ministry;
- (c) by personal service at a place of employment on the person's manager, agent, representative, officer, director or supervisor;
- (d) by any of the methods set out in *The Queen's Bench Rules* for the service of documents; or
- (e) by delivering a copy to the person's lawyer if the lawyer accepts service by endorsing his or her name on a true copy of the document or notice indicating that he or she is the lawyer for that person.

Section 56.4: Service

- Subsection 56.4(1) specifies the five options available to serve documents or notices on persons, other than the Executive Director.
- Officers will also follow the service options.
- Persons who are unable to serve a document may apply to the Court of Queen's Bench for an order of substituted service (used when prompt service of document cannot occur and the person who is being served cannot be found or is evading service)
- If the Executive Director is unable to serve a document, they may publish the document or notice in the local newspaper where the person being served was last known to reside
- Any notice or document to be served on the OHS Division or the Executive Director must be done in a "prescribed manner". The regulations will be amended to specify the manner in which this service is to occur.

Section 62.1: Onus on accused re training workers

New section 62.1

62.1 In any proceedings for an offence pursuant to this Act or the regulations consisting of a failure to comply with a duty or requirement related to the training of workers, the onus is on the accused to prove that the training provided met the requirements of the Act or the regulations.

Definition of train is in clause Act 2(1)(ee.1).

Persons who are accused of failing to adequately train workers must be able to prove that the training provided to these workers met the requirements of this Act or regulations.

Section 72: Inspection, investigation, search

Section 72(1) amended

72(1) For the purposes of enforcing and administering this Act or the regulations, an occupational health officer may **do all or any of the following**.

The words “do all or any of the following” were added.

New Section 72(1)(f.1) require the production of, inspect and take copies of any existing record related to training workers on matters related to occupational health and safety;

New Section 72(1)(i) subject to subsection (1.1), require any person who the occupational health officer has reasonable cause to believe possess any information respecting a work related fatality, serious injury or allegation of harassment to attend an interview and provide full and correct answers to any questions that the officer believes it necessary to ask.

Section 72: Inspection, investigation, search

New Section 72(1.1)

72(1.1) An interview held pursuant to clause (1)(i) is to be held in the absence of persons other than;

- (a) a person nominated to be present by the person being interviewed; and
- (b) any other persons whom the occupational health officer may allow to be present.

Section 73.1: Report re condition of plant

New 73.1 Report re condition of plant

73.1(1) If the director is of the opinion that the health and safety of a worker may be at risk as a consequence of the condition of a plant, the director may issue a written direction to an employer, contractor, owner or supplier requiring the employer, contractor, owner or supplier:

(a) to have, at the employer's, contractor's, owner's or supplier's own expense, a person with the qualifications that the director may specify in the direction conduct those tests or examinations that the director may require in the direction; and

(b) to provide the director with a written report by the qualified person mentioned in clause (a) setting out the results of those tests or examinations.

(2) No employer, contractor, owner or supplier shall fail to comply with a direction issued to the employer, contractor, owner or supplier pursuant to this section.

Section 73.1: Report re condition of plant

While section 23 of the regulations requires the employers and contractors to regularly examine the plant to ensure they are safe to withstand expected stress and uses, it does not specify who conducts this examination.

Therefore, when the Executive Director forms the opinion that the condition of a plant poses a risk to the health and safety of workers, the Director may issue an order requiring an employer, contractor, owner or supplier connected with the plant to provide a written report from a qualified person as to the plant's condition.

The Executive Director may specify the nature of any tests or examinations to be undertaken by the qualified individual.

This report will be prepared at the expense of the person who receives this order.

Section 73.2: Requirement to perform tests or examinations

New 73.2 Requirement to perform tests of examinations

73.2(1) If the director is of the opinion that the health and safety of a worker may be at risk from a substance at work, the director may issue a written direction to an employer or owner requiring the employer or owner:

- (a) to have, at the employer's or owner's own expense, a person with the qualifications that the director may specify in the direction conduct those tests or examinations that the director may require in the direction; and
- (b) to provide the director with a written report by the qualified person mentioned in clause (a) setting out the results of those tests or examinations.

(2) No employer or owner shall fail to comply with a direction issued to the employer or owner pursuant to this section.

Changes to Justice's Summary Offence Regulations

Introduction to Summary Offence Tickets

A New ... and Additional ... OHS
Enforcement Tool

Summary Offence Ticketing

- LRWS worked with the Ministry of Justice to establish a ticketing system for OHS-related matters by amending *The Summary Offences Procedures Regulations, 1991*. The amendments came into force November 9, 2012.
- We anticipate beginning implementation in early 2014, beginning with an educational phase and then proceeding with ticketing.

Summary Offence Ticketing

- Non-compliance with OHS legislation leads to incidents
- Officers will apply the principles of the workplace responsibility system when issuing tickets.
- Adds an additional tool for enforcement and protection to OHS – doesn't displace any existing methods.
- A Notice of Contravention will be issued alongside every SOT.
- Creates and maintains a division between enforcement and prosecution, which helps ensure fairness.
- Improves the efficiency and effectiveness of the prosecution process for non-compliance matters.
- Immediacy of SOTs will serve as an effective and efficient deterrent to non-compliance

Summary Offence Ticketing

The offences SOTs can be applied to are:

- high volume offences that reflect an on-going history and pattern of non-compliance
- offences that are frequently recommended for prosecution by the OHS Division
- offences where non-compliance has a high risk of injury, illness, or death -- based on frequency or severity

There are **a total of 71 offences** covering 38 sections of the OHS Act and regulations.

- 64 offences apply specifically to employers, self-employed persons, suppliers, contractors or owners
- 1 offence applies specifically to supervisors
- 2 offences apply specifically to workers
- 4 offences apply generally to any workplace party listed above

Summary Offence Ticketing

- A summary offence ticket is the official name
- For a first offence, offenders can:
 - plead guilty and make a voluntary payment ; or
 - Attend court on the date specified.
- For a second offence, offenders will have a mandatory court appearance
- Regardless, a Notice of Contravention (and stop work order, if applicable) will also be issued requiring the employer to comply and provide Occupational Health and Safety with a written progress report.

Summary Offence Ticketing – Penalty Amounts – Voluntary Payment Amounts

Employers/Contractors/Self-employed Persons/Owners/Suppliers

- **Priority 1 - \$1,000** – Zero Tolerance offences that have the greatest risk or severity of injuries, history of fatalities, high cost (time loss injuries), and may have high violation rate.
- **Priority 2 - \$800** – Offences have a history of non-compliance, high severity of injuries, high cost (time loss injuries) and may have high violation rate.
- **Priority 3 - \$600** – Non compliance offences that may directly impact or influence further non-compliance, injuries or incident occurrence.
- **Priority 4 - \$400** – Primarily administrative offences. Non-compliance has no direct impact on incidents, but the proactive nature of the responsibilities is foundational to preventing incidents and injuries.

Summary Offence Ticketing – Penalty Amounts – Voluntary Payment Amounts

Supervisors

- Flat rate of \$400 has been assigned.
- Recognizes difference in the level of responsibility and control for OHS compared to employers
- Still allows for accountability.

Workers

- Flat rate of \$250 has been assigned.
- Lower than both the employer and the supervisor to reflect the difference in the level of responsibility and control
- Still allows for accountability.

All amounts are plus the victim surcharge

Harassment

- Harassment means any inappropriate conduct, comment, display, action or gesture by a person: see Section 2(I)(i)(A)(B) & (ii) of the Act
- The employer shall ensure, insofar as is reasonably practicable that the employer's workers are not exposed to harassment with respect to any matter or circumstance arising out of the workers' employment. Section 3(d) of the Act
- Supervisors shall ensure, insofar as is reasonably practicable, that all workers under the supervisor's direct oversight and direction are not exposed to harassment at the place of employment. Section 3.1(d) of the Act

Harassment Policy

- Every employer shall develop a policy in writing to prevent harassment. Section 36 of the Regulations dictates the requirements for the harassment policy.
- The Occupational Health Committee will participate in the development of the harassment policy however they should **not** be involved in the investigation of matters relating to harassment.