

OHS NEWS

WORKPLACE SAFETY IS EVERYONES' CONCERN

MARCH 2014

OH&S Division reorganization

As some of you may know, on February 13, 2014, Minister Regan announced a reorganization of the Occupational Health and Safety Division. The announced changes were made as part of the province's workplace safety strategy as well as aligning with the auditor general's recommendations to improve health and safety services.

In addition to the five additional OH&S Officers, announced November 2013, the Division will now include a new outreach unit with the aim of aiding businesses, employers, employees and workplace organizations in awareness and education of occupational health and safety regulations and requirements.

The reorganization will also look at realigning existing zones to which OH&S Officers are assigned territories in order to better provide enforcement and compliance to worksites across the province.

As the reorganization progresses additional information will be published in the newsletter.

To read the original press release please go to: [Province Expanding Safety Division](#).

To view the organizational chart of the OH&S Division reorganization go to page 2 of the Newsletter.

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No special treatment for complying with the Law

From the February 2104 issue of Workplace Safety and Prevention Services (Ontario) - Network News.

An Ontario Court of Appeal overturned an earlier decision that cut an employer's fin in half for complying with Ministry work orders. The Appeal Court ruled that complying with Ministry

work orders is no reason for courts to go easy on violators.

An auto parts manufacturer received two orders after an employee was injured; and following an investigation the Ministry laid charges against the company. The Company was con-

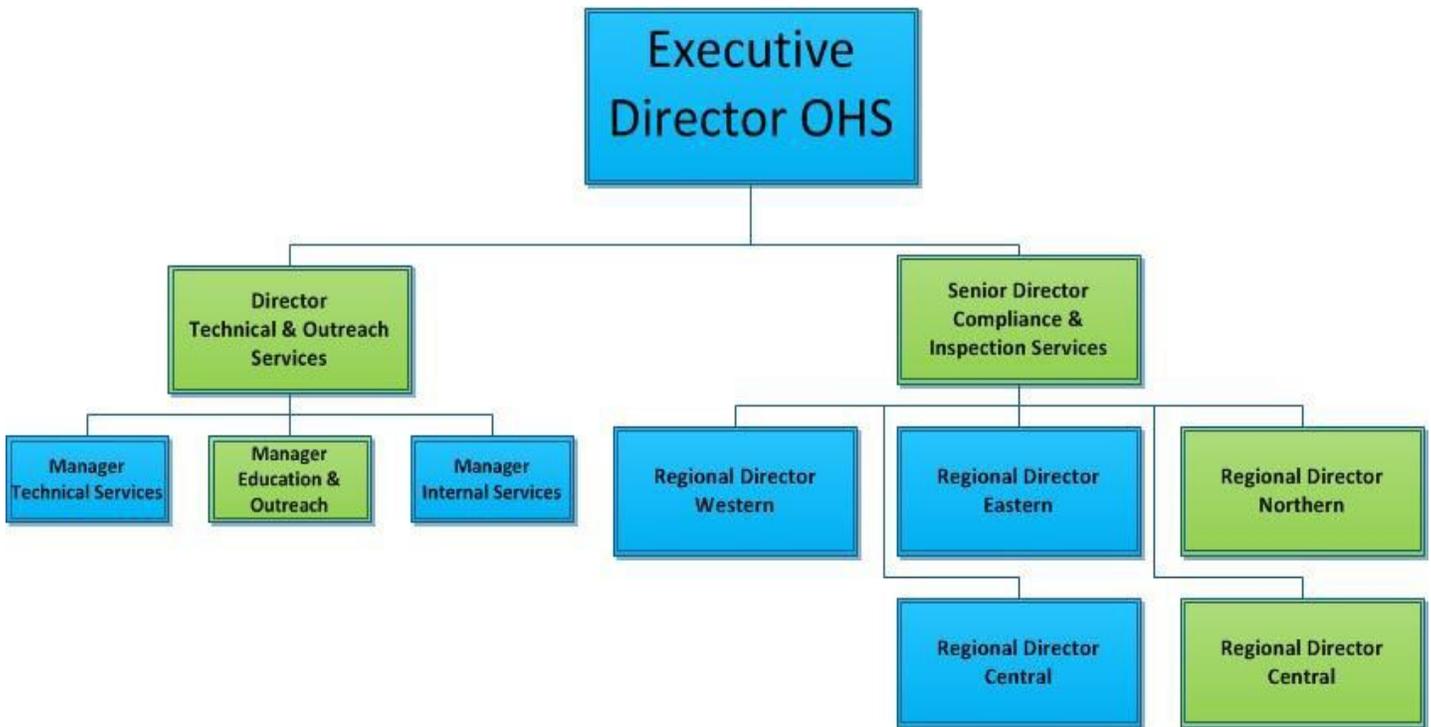
victed and received 2 \$25,000 fines.

The company appealed the convictions and penalties. The presiding judge dismissed the conviction appeal, but allowed the sentence appeal. The judge made the fines "concurrent" (effectivel

y halving the fine) noting that "little weight was given to the corrective action taken by the appellant".

The Crown appealed and the Appeal Court ruled the appellant should not be rewarded for complying with legal requirements. More [detail here](#)

OHS Reorganization structure



FYI: Recent incidents

A brief review of some incidents investigated by our officers. This serves to highlight workplace incidents and encourage you to check and see where you stand with regards to these issues.

Articulating Arm Contact with Power Lines

Employees operating a vehicle with an articulating arm (boom) did not properly lower the arm onto its cradle before moving to another work location. The raised arm became entangled in power and data lines along a street and ultimately broke a power pole. On investigation it was determined that heavy traffic and poor communica-

tion resulted in the arm not being lowered unto its cradle. Also on investigation it was noted the employees had not received training on how to exit a vehicle safely after contacting power lines. Requirements for powered mobile equipment are in part 7 of the [Occupational Safety General regulations](#).

Hammer break striking employee in face

An employee in the process of removing a brake rotor from a 1/2 ton truck with a 4 pound maul hammer, was injured when the hammer head detached from the handle striking them in the face. Requirements for tools are in

part 9 of the Occupational Safety General regulations. One of the requirements is to visually inspect tools before use to ensure they are in adequate condition.

Finger caught in pinch point

An employee trying to clear blockage from an auger had their finger caught between the auger pulley and the drive belt. On investigation it was noted the employee was following a standard work procedure in removing a blockage of the auger. The procedure consisted of turning the auger pulley back and forth by hand.

As a result of the incident the employer has added guarding to the belt unit and modified the work procedure to require the use of leather glove instead of PVC gloves.

Ladder Falls

Several separate incidents of ladder falls occurred. On investigation it was noted the primary reason for the falls were improper ladder set-up and not having the ladder secured against movement. Requirements for ladders are in part 13, starting at section 147, of the Occupational Safety General regulations.

FYI: OHS Information Sheet—Bed Bugs

The OHS Division received several questions regarding bed bugs in the workplace, and what the possible OHS requirements may be.

The [Bed Bugs - OHS Information Sheet](#) outlines what hazard bed bugs pose, how to address the issues, general OHS requirements that apply and links to information resources.

There are no occupational health and safety (OHS) regulations in Nova Scotia that specifically address the issue of having bed bugs in a workplace.

However, certain requirements under general OHS provisions apply; for exam-

ple, although the risk to employees from bed bug exposure may be low, if bed bugs are found to present in the workplace employees must be informed of the hazard that bed bugs may present. According to the *Occupational Health and Safety Act*, section 13(1)(d), employers must inform employees and supervisors about any health and safety hazards that may be met by them in the workplace.

Given the potential disruption and negative impact that a bed bug infestation may cause, employee concerns should not be ignored, and a pest control program is strongly recommended. If an employee has a concern regarding their health or

safety, they should report it immediately to their supervisor, joint occupational health and safety committee, or health and safety representative, as required by the “Employees’ precautions and duties” section of the *Occupational Health and Safety Act*, s. 17 (2).

Finally, if insecticides are used in the workplace, the requirements of the *Workplace Hazardous Materials Information System* (WHMIS) regulations apply, including employee education. Employees must be informed regarding the health hazards that the insecticides used in the workplace may present, and the precautions that are required to prevent excessive exposure. Employees

must be trained in the safe use, handling, storage, disposal, and emergency response procedures for the controlled products that they work with or near. The employer must also ensure that all employees are educated in the key components of WHMIS, which includes product labelling, employee education, and material safety data sheets. Records of WHMIS training must be created and maintained by the employer (see section 4 of the WHMIS Regulations for details)

FYI: Advisory product notice re: snaphooks

It was recently brought to our attention that an Advisory product notice had been issued regarding the safety of a particular snaphook used as a component in fall protection equipment.

The snaphook in the notice is produced by Yoke Industrial and can be identified by a “Y” stamped on the body of each snaphook, has been reported to have “a missing or incompletely spun rivet.”

As noted in the manufactures advisory this isn’t a product recall notice. If you do have one of these products they advise removing from service and returning it via the fall protection manufacturer for replacement.

It is not known whether fall protection sold in NS has these snaphook components in them; however, it would be prudent

(as it always is and is required by section 1.12 of the [Workplace Health and Safety regulations](#)) to check your fall protection equipment before using it.

For the complete advisory notice, including photos of the product, please go to [Yoke Snap/Rebar Hooks for Fall Protection](#).

Another notice, regarding this product, was issued by Capital Safety, and is available at this link [Capital Safety: Product Notice—Snaphooks](#)

Once again, we would like to emphasize that section 1.12 of the Workplace Health and Safety regulations contains several requirements regarding inspection and if required re-certification of equipment,

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<http://gov.ns.ca/lae/healthandsafety/>

FYI—Refrigerant gas leak and risk of suffocation

A WorkSafe BC [WorkSafe Bulletin](#) identifies refrigerant gas leaks as a possible risk of suffocation.

The Bulletin highlights a fatal incident whereby a janitor cleaning a washroom located near a mechanical compressor room was discovered hours after he failed to check in. The cause of death was found to be refrigerant that had leaked from the compressor into the washroom, displacing the oxygen and causing the employee to suffocate.

Refrigeration systems are found in a variety of workplaces; commonly worksites such as recreational facilities and cold storage rooms. Some refrigerants may be toxic (Ammonia) others are non-toxic (Freon). While some refrigerants may have low-toxicity, at high concentrations they displace oxygen, as in the case above, and cause workers to be injured or die.

Some symptoms associated with exposure to refrigerants such as Freon include: dizziness, drowsiness, nausea, difficulty breathing. Refrigerants may not have an odour and can be difficult to measure making an uncontrolled leak in an enclosed space dangerous to health and life.

To ensure health and safety of workers and others employers need to consider engineering controls - monitoring systems interlocked to ventilation systems, and administrative controls - education of workers, written work and emergency procedures, routine maintenance of systems.

If you use refrigeration systems check and ensure that you have appropriate maintenance measures and emergency procedures, and ensure person working with or near such systems are informed and trained properly to recognize and deal with the potential hazards or incidents.

Links to related agencies:

- [Nova Scotia WCB](#)
- [Workers Compensation Appeals Tribunal \(WCAT\)](#)
- [Workers' Advisers Program \(WAP\)](#)
- [Workplace Safety and Insurance System \(WSIS\)](#)
- [Office of the Employer Advisor Nova Scotia](#)
- [Service Canada / Français](#)
- [Canadian Centre for Occupational Health and Safety \(CCOHS\) / Français](#)
- [CanOSH \(Canada's National Workplace Health and Safety Website\) / Français](#)