

# OHS NEWS

## WORKPLACE SAFETY IS EVERYONES' CONCERN

JULY 2014

### *Workplace Safety Strategy Update*

The Workplace Safety Strategy 2013-2017 was released in March 2013. The Worker's Compensation Board and the Department of Labour and Advanced Education undertook extensive research and consultation with safety partners, businesses and associations to focus on 6 initiatives: Leadership, Safety, Culture, Education and Training, Small and Medium Enterprise, Inspection and Enforcement, Performance Management and Measurement. Since the release working groups centered around the 6 initiatives have been working on a number of activities; to date these include:

- A new brochure outlining OHS requirements for small and medium business; also a workplace safety tool kit is being developed for distribution
- Social marketing, "What Matters Most" began airing on tv and radio
- Safe@MyJob, a new workplace safety quiz and certificate to all Grade 10-12 students. Available through NS Virtual School (see page 2 for more on this)
- OH&S Division working with NS Construction Safety Association on "Target Zero" initiative, to identify and target high-risk companies with poor safety records and work at improving them
- OHS Division reorganization with enhanced service delivery and additional positions (see page 2 for more information)
- NS Workers completed 3,400 online safety courses offered through the Canadian Centre for Occupational Health and Safety and funded by the Department

To help business, business associations, safety associations and the public stay current on the Strategy work you can go to [NS Workplace Safety Strategy](#).

### *Reminder—Slow Down in Road Construction Zones*

The recent hit-and-run of a flag person at a road construction area underscores the importance of drivers slowing down.

A [June 17 news release](#) by the Government of Nova Scotia and the NS Road Builders Association highlights the perils of road construction and speeding drivers.

Aside from the risk of hitting and injuring workers, or themselves and their families, drivers face doubled fines and increased demerit points. Fines begin at \$ 348.95 and depending on the circumstances may rise to over \$2,000.

Government and the Association have begun an [awareness campaign](#)

that will run through mid-July.

If you have time constraints on your travel and you are aware of road construction, then plan accordingly; leave earlier, allow for possible delays.

To find traffic advisories noting work on roads use the News

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## OHS Division Reorganization—update

In the March Newsletter we noted the Division would be reorganizing itself in order to enhance delivery of its traditional services and deliver some new ones.

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.

Five additional OH&S Officers were announced, as well as the addition of 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 Division also undertook a realignment of the zones to which OH&S Officers are assigned territories; in order to better balance enforcement and compliance to worksites across the province. Boundaries and territories are still being finalized but the zones will

be: Western, Eastern, Central (2), and Northern. Each region will have a manager, OHS officers, and an investigator assigned to it.

On Friday, June 27, nine new officers graduated from

the Division’s New Officer Training Program (a 10 Officer will graduate shortly). This includes the 5 new positions and several vacancies. Congratulations to all!



## June Blitz Update

The Division undertook a workplace blitz on working-at-heights in the 1st week of June. On June 3rd, 4th and 5th OHS Officers undertook a province-wide blitz in their respective territories.

Compared to a similar blitz held last fall, 54 employers were inspected this time (37 last fall).

Only 8 orders were written for ‘no fall protection’; however 34 orders were written for other provisions—fall protection training, fall protection plans etc. The blitz also focused on awareness and education where needed and 33 warnings were issued. Additional blitz will be held throughout the year.

## SAFE@MYJOB

Safe@MyJob is a new health and safety awareness quiz and certificate for Grade 10-12 students and teachers.

It was designed in partnership between the Workers’ Compensation Board of Nova Scotia, the Nova Scotia Virtual School, the Nova Scotia Department of Education and Early Childhood Development, and Labour and Advanced Education, and school boards and teachers.

The quiz is posted to the Nova Scotia Virtual School – an electronic learning platform freely available to all public school students and teachers.

It reflects and supports occupational health and safety curriculum content found in variety of high school courses, including Co-Operative Education, Career Development and a number of Trades and Technology programs.

It is an awareness resource that is open to ALL students and does not replace workplace-specific health and safety training that employers are required to deliver.



## *FYI—Recent incidents*

A brief review of 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.

### *Fractured Foot*

An employee fractured their foot when jumping down from a box and landing on a large pipe. The employee was aware of the pipe on the floor but chose not to move it before getting on the box. Section 17 of the [Act](#) outlines Employees' Precautions and Duties including requirements to take every reasonable precaution to protect their health and safety and that of others at or near the workplace.

### *Notice of Accident at the Workplace*

Two occasions of accidents not being reported as required.

1—In February of this year, a piece of flooring fell on an employee's foot and broke it. The Officer was notified of the accident while performing a general inspection at the worksite in May. The investigation into the accident is currently on-going. Employers are reminded of Section 63 of the [Act](#) requiring notification of accidents at the workplace.

2— In May the Division was contacted by a worker regarding workplace injuries they had sustained in April.

The worker is employed via a staffing company providing temporary employment services to businesses. The worker suffered injuries from a fall from height while working under direction of the company he was 'assigned to'. The worker returned to the staffing company office following the accident and an incident report was created. In this case neither of the two companies fulfilled their obligations under section 63. Investigation is on-going.

### *Pinch Point*

A new employee received a fractured finger while carrying out their work duties and their finger was caught in a pinch point. The com-

pany carried out an incident investigation and found the following: the job requires loading bobbins onto spindles, it is fast paced; some of the bobbins, being worn, slide easier; relatively new worker. The employer has reassessed the task based on the incident and took the following remedial action: replace worn bobbins, orient new workers to the importance of hand placement while undertaking this job, and have workers ask for assistance on 'bad' (high volume) runs. No further action was taken by the Division.

## *Duties and Precautions—OHS Act*

The Internal Responsibility System, or IRS, is the underlying principle of the OHS Act. It states all parties at a workplace share a responsibility to ensure the workplace is safe. It also recognizes that not everyone has the same control over a workplace and so their responsibility is based on their authority and ability to ensure a safe workplace.

The [Act](#) also identifies and defines several classes of workplace parties including: employer, contractor, constructor, owner, employee, suppliers, self-employed, providers of services, etc. It then goes on to specify, via sections 13 through 22, what duties and precautions are to be taken by the various workplace parties.

An employer has duties and precautions to their employees and vice versa; that is straightforward. But the workplace is not a silo, and often there are others, of the defined parties, Present at a workplace.

Note that the precaution and duties sections of the Act all have wording to the effect of 'ensuring the health and safety of **persons** at or near the workplace'; not just 'employees'. This reflects the responsibility of the workplace parties to each other and not just to those directly employed by them.

What this means in practical terms is that we cannot simply ignore unsafe activities by persons at a workplace just because they are not our employees. At the very least we need to communicate with that person(s) supervisor, manager etc. and make them aware of the unsafe actions. Ultimately if this persists the duty would be to call the Division and have an Officer come do an inspection. By not taking these actions the person is at risk of receiving an order under the 'duties and precautions' clause.

**LABOUR AND ADVANCED  
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the Web at:

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

*More NS OHS updates*

***Greater Halifax Partnership 'Halifax Index' and  
Workplace Safety***

The Greater Halifax Partnership is the lead economic development organization in Halifax. The Partnership publishes a yearly 'Halifax Index' which measures not only economic growth, but also progress across key components of community well-being.

For the first time since its inception the Index has included workplace safety as a focus. Under the section "People" the Index notes "Workplace Safety is important...most obvious is the quality of life and potential loss-of-life impacts that workplace injuries can have on individuals and their families". To view the complete document go to [Halifax Index](#).

***Government Hires Safety Prosecutor***

On June 17 it was [announced](#) that Government had hired a Prosecutor specifically for Health and Safety Prosecutions.

Alex Keaveny has been appointed to the special prosecutions section of the Public Prosecution Service.

Mr. Keaveny is an experienced prosecutor as a Crown attorney in Toronto and Halifax., and has private practice experience. As a member of the NS Public Prosecution Service he has prosecuted many criminal code and regulatory offences.

Mr. Keaveny will be dedicated to occupational health and safety cases. Aside from trying OHS cases, he will also be involved in the education and training of OHS Officers with regards to what to look for and how to gather evidence that can effectively support a court case.

*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](#)