

Summary of
Occupational Health
and Safety Division
Engagement Sessions
with Employers
and Employees

Summer 2016



About our engagement sessions

Safety in Nova Scotia workplaces is a shared responsibility. The Internal Responsibility System is built upon the foundation that everyone shares the responsibility for the health and safety of persons at the workplace.

This engagement session aimed to provide an opportunity for the OHS Division and the Department of Labour and Advanced Education to hear your concerns with respect to occupational health and safety and then provide feedback on how your input will influence future actions.

We planned the sessions to connect with a wide range of people across the province – over 200 people participated in our eight sessions. Our purposes were to:

- Gain a better understanding of stakeholders' perspectives
- Expand the conversation to be about more than just regulations
- Hear about other areas and programs, such as education, awareness, health, and inspection programs
- Determine what good engagement and partnerships look like moving forward

Key themes emerged

Five key themes and concepts emerged throughout discussions in all of the engagement sessions:

- Policy
- Training and Education
- Leadership
- Communication
- Roles and Responsibilities

After participants identified the key issues and potential solutions, they identified what they thought should be **priority areas for Labour and Advanced Education to address**. Each of the five key themes summarized in this document leads with what the participants felt should be top priority.

Policy

Policy is a broad term that is most frequently thought to mean regulations. During the sessions, the discussion highlighted a general confusion over policy options and the ability of individuals to understand and navigate the various documents, including the OHS Regulations. Additionally, the participants highlighted potential issues on the currency of regulation and concerns over how the division will address emerging issues. Also tied into this discussion were questions and concerns on how people access the information and receive updates.

Issues Identified

Lack of clarity in the regulations and in terminology

One of the most commonly identified issues in all sessions was the lack of clarity in the OHS regulations. Many people noted that, even after reading the regulations in full, they do not fully understand what is expected from their organization with regards to safe practices. The complex terminology and lack of clear definitions of key terms are major drivers of confusion. This lack of understanding can result in a wide variety of interpretations and applications of the regulations.

Examples that foster confusion:

- Lack of clarity with regards to administrative requirements when an accident occurs – for example, when someone is injured, who is the employer expected to inform?
- Lack of clarity around training – what are minimum training requirements if not defined?

Solutions identified

- *Provide interpretive guides or plain language versions of regulations to help ensure they are easily understood.*
 - *Consider innovative ways to make regulations user-friendly.*
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Absence of key safety concepts in the regulations

Many participants indicated areas where there should be more to support the use of best practices. These topics are areas where employees and employers have noticed major impacts on safety in the workforce. These areas require more attention to ensure they are properly managed throughout the province, including

- Mental health, including Post Traumatic Stress Disorder (PTSD)
- Violence in the workplace
- Safe driving
- Working alone
- Training and education requirements (specifically focused on safety training)
- Hygiene

Mental health was brought forward by multiple groups in multiple sessions. The impacts of mental health are becoming more understood, particularly with regards to how the associated impacts can affect safety in the workplace. Because of this, Labour and Advanced Education should focus attention on mental health to ensure employers are properly managing this important topic.

Solution identified

- *Review best practices and emerging issues to identify opportunities to update regulations.*

Lack of standardization with other provinces

The lack of standardization with other provinces (particularly within the Maritime provinces) was identified as an issue. The lack of consistency between provinces can negatively impact the mobility of workers and services, as the expectations and requirements are different from one province to the next.

Solution identified

- *Harmonize regulation/legislation with other Atlantic provinces to help improve consistency.*

Difficulty accessing standards referenced within regulations

Referencing specific standards, such as CSA Standards, within the regulations was described as limiting, particularly when those standards are costly to access. For some organizations (particularly smaller organizations), the cost of accessing and acquiring the required standards can be unaffordable and limit the information these organizations are able to access.

Solution identified

- *Ensure standards are made readily available at local associations, libraries, sector councils, etc.*

OHS Division Response

OHS Division has the responsibility to identify the policy issues and then develop the appropriate policy response and ensure this information is available and in a reasonable form to allow understanding of how the policy document applies to workplaces. This is a key area of focus for further stakeholder engagement.

Training and Education

Training and education is a critical component of effective health and safety. It needs to involve a wide variety of individuals to ensure it is effective. The topic was discussed in several contexts with a focus on quality and consistent training and education to ensure employees are properly prepared to work safely and have current, up-to-date knowledge of safety best practices and understand the importance of safety.

Emerging areas and gaps in current processes were highlighted as well.

Issues Identified

OHS officers' use of enforcement rather than education

While most participants indicated that major strides have been made in the relationship between OHS officers and industry, it was indicated that OHS officers should focus less on penalizing industry and focus more on opportunities to educate. While there is a need to penalize organizations for lack of adherence to safety regulations, OHS officers should also seize opportunities to educate industry about how to better ensure safety in the workplace, which could also prevent being penalized in the future. Reinforcing safe workplace behaviour by praising and showcasing leaders would encourage the shift in culture and focus on the use of best practices.

Solution identified

- *OHS officers could use education more often to educate employers on the cost of safety compared to the much higher cost of accidents and incidents.*
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Lack of accountability for training quality assurance

The quality of training available was referenced repeatedly across the sessions. Training oftentimes focuses on a timeframe (number of hours) rather than key outcomes, making it difficult to quantify exactly what a participant should gain from the training. The core of this issue is that there is no individual (or group) responsible to ensure the training delivered to Nova Scotians meets a particular benchmark or accreditation. The individuals delivering training must be held to standards to ensure they meet defined criteria of certification. As a result, people are currently receiving training that may not be particularly useful or valuable in ensuring they learn the most up-to-date, relevant safety requirements.

Solutions identified

- *Identify and advocate to improve the quality of safety education from colleges and training programs.*
 - *Create a database of safety training and education that is deemed to be acceptable quality.*
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Lack of safety preparedness of new workforce entrants

Some participants indicated that many of the safety shortcomings in their particular organizations derive from young workers not understanding the importance of safety. This is potentially due to the lack of quality safety training youth receive before entering the workforce. The limited attention many new workers pay to safety is a true cause for concern for many participants.

Solution identified

- *Include expectations for employee orientation in regulatory policy.*
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Stigma attached to mental health makes seeking support difficult

Training related to mental health has two parts: first, employers need to understand how to support employees who have mental health challenges, and second, all Nova Scotian workers (from front line staff to CEOs) need to understand where they can go to access mental health supports should they need them. In many industries, mental health has a stigma that makes it difficult for workers to reach out and get the support they need to operate in a safe capacity. This major issue needs to be addressed to ensure continued safety for Nova Scotian workers and workplaces.

Solutions identified

- *Consider occupational health and safety training that includes concepts such as mental health.*
 - *Provide the Nova Scotia workforce with better understanding of opportunities and how to reach out for help.*
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Lack of equitable access to training for those in rural communities

Some participants indicated there are training courses they would like to take but are not able to because the sessions are not provided in rural communities. Being required to travel to receive training is prohibitive for rural organizations, as the time required away from the workplace and the costs associated are too great. This is problematic, as there are individuals who want to enhance their understanding of how they can advance safety in their organization but are not able to because of the burden associated with having to travel to attend training sessions.

Solutions identified

- *Use technology to provide distance education and training.*
 - *Introduce better options to access training.*
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OHS Division Response

Training and education is a complex issue that many parties have differing roles and responsibilities. This was clearly and important issue for all participants and the OHS Division will provide more information on an approach to address the issues and gaps identified and to provide updates on work already underway.

Leadership

Safety is a shared responsibility for all individuals in the workplace, regardless of individual standing or place as an employer or employee. Everyone has a potential leadership role. Comments from the sessions indicated that the desired level of leadership on safety is not always clearly identifiable nor consistently noticeable.

Issues Identified

Lack of leadership by example

Government needs to better support organizational changes that positively impact safety.

Solutions identified

- *Government should consider safety performance measures including demonstrated leadership as a way of reinforcing and encouraging others.*
 - *Celebrate and acknowledge continual innovation towards safety.*
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Lack of safety champions in organizations

Participants discussed how key leaders are not always stepping up to the challenge to show a commitment to safety in their workplaces. They discussed how no one person within an organizations is given the mandate of safety champion, which means safety is often an afterthought, unless it is firmly embedded in the organizational culture. They discussed how difficult it is for organizations to continuously keep safety at the forefront of priorities when they are not expected to have individuals responsible to bring the focus back to safety.

Solutions identified

- *Create training for company leaders on how to bring safety into their workplaces*
 - *Create a mechanism to hold employers accountable for promoting safety and extolling its benefits*
 - *Identify and advocate to improve quality of safety education from colleges and training programs.*
 - *Create a database of safety training and education that is deemed to be of acceptable quality (meets defined criteria of certification).*
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Siloed approach to safety limits collaboration

While it was indicated that the Workplace Safety Strategy is a step in the right direction, many participants feel there is still a lack of clarity regarding how the various government departments work together to promote safety throughout Nova Scotia's workplaces. It is felt that the approach is inconsistent from one governmental organization to the next and that there is an opportunity for a more unified, consistent strategy that displays the government's strong commitment to safety.

Solutions identified

- *Establish an Atlantic Task Force to encourage collaboration and sharing of best practices across the Atlantic region.*
 - *Promote the importance of safety in workplaces and coordinated strategies across government.*
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OHS Division Response

OHS Division is a partner in providing leadership in safety, however, leadership is a shared responsibility that requires a broad approach and many partners. The Division will continue to work with others on the issue of leadership and provide influence and support where appropriate.

Communication

Information is a key aspect for safety. This includes the ability to access information, have it provided in a timely fashion and to ensure it is current and in a form that is easily understood. Participants consistently mentioned the need for better communication between industries and government, indicating that there is lots to do to improve overall communication and it is not just the OHS Division.

Issues Identified

Difficulties accessing information and the need for improved messaging

Many participants noted that they have looked to Labour and Advanced Education's website seeking information, but were met with out-of-date information. This is noted as a major issue as online searches are a key way to find information on a particular topic.

In addition, many employers noted that while there have certainly been improvements, there is still a hesitancy to reach out to Labour and Advanced Education with questions for clarification regarding safety concerns because they fear repercussion for not knowing the correct answer. This was noted as an impediment to understanding safe practices, as sometimes organizations simply need to have expectations better explained.

Solution identified

- *Make better use of resources to provide timely, relevant information to stakeholders, such as through timely website updates and monthly newsletters.*
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Lack of communication between provinces

There is an opportunity for provinces to better communicate and collaborate with regards to safety. Currently, there appears to be very limited interaction between provinces to align safety requirements, leaving much opportunity for increased communication and understanding of best practices across the Maritimes and Canada as a whole.

Solution identified

- *Establish an Atlantic Task Force that meets on a regular basis to discuss key safety concepts.*
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More coordinated efforts needed within Nova Scotia

More consistent communications need to be delivered by safety leaders in government to outside organizations (e.g., other departments, private sector organizations, non-profit organizations). Currently, many organizations do not think about safety in a strategic way, because they only have to think about day-to-day safety operations. Much could to be done with regards to communication about safety practices that would help promote the government's mission to improve safety.

Solution identified

- *Coordinate across government divisions and departments to provide consistent safety messaging.*
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OHS Division Response

Effective communication is an ongoing issue that constantly changes and cannot be effectively dealt with by an individual action or response. The OHS Division will work to improve communication on safety in areas where it has clear responsibility and will include updates on actions that relate to concerns raised in this stakeholder engagement.

Roles and Responsibilities

An item that showed up in all other themes in a variety of ways was clarity on roles and responsibilities. This item is not a stand-alone element to be specifically addressed. Rather this is an underlying issue that needs to be highlighted under the other themes to ensure the various roles and responsibilities are clarified and understood.

Feedback from participants about the sessions

At the end of each session, participants were asked to complete an evaluation form about the day's session, such as what they found most useful, how the session could be improved, and other comments about the session. Participants could keep the form anonymous or could provide their contact information for further follow-up.

The feedback was valuable. Participants welcomed the opportunity for open discussion about a wide range of safety issues that various industries are facing. It is not often that such a wide range of individuals are able to sit in a room to discuss the top safety issues facing the province, so the opportunity to do so ignited a lot of excitement amongst participants.

Opportunities for improvement

- Give more time for individuals to respond to the invitation
- Include more representation from the department, especially leaders
- Include more employee representation in the discussion overall
- Share a summary document indicating the types of industries engaged
- Share more information about what the content of the session would be about before the session
- Include more focused conversation

Overall, most participants would like to be engaged on an ongoing basis by OHS as it strives to make Nova Scotia the safest place to work in Canada.

Next steps

The initial stakeholder engagement session summary was meant to help OHS Division develop a more detailed action plan on key future initiatives. The comments summarized in this document have indicated that some areas need further discussion to get the level of detail needed to inform action. Other areas had sufficient discussion to allow the Division to move forward sooner.

Based on the information received and the intent to engage stakeholders differently, the following is what you may expect for the coming months:

- Early in 2017 stakeholders will be provided an opportunity to have a more detailed policy discussion building upon the efforts from June. This will influence our work for the next three to five years.
- Clarity, confusion, and access to information with respect to the current regulations was well defined and is something that requires more immediate action. New approaches to get direct feedback on this aspect will be started soon.
- The LAE website is scheduled for updating by end of March 2017. Other work to address communications are needed and will be actioned in the next year.
- Training was a key topic of discussion and will require a deliberate and thoughtful approach to inform any decision for actions. Early in 2017 a unique engagement approach for this topic will be created, knowing that there are many interests and options to consider.