

OHS Delivery Update for the Minister's Breakfast September 28, 2015

Robert Feagan
Executive Director, OHS Delivery

Edmonton– September 28, 2015

Occupational Health and Safety Compliance Policy

- All Albertans are entitled to workplaces that are safe, fair and healthy. The Alberta government promotes occupational health and safety (OHS) through legislated requirements which are enshrined in the *Occupational Health and Safety Act, Regulation and Code*.
- Alberta Occupational Health and Safety (Alberta OHS) is the branch of the Safe, Fair and Healthy Workplaces (SFHW) division mandated to reach the vision "Healthy and Safe is How Alberta Works." The branch mission is to "prevent workplace injury & illness by building and strengthening a health and safety culture through partnerships, policy, education, enforcement and innovation."
- OHS legislation in Alberta is performance or outcome-based, rather than prescriptive in its approach. This philosophy is founded on the premise of an internal responsibility system. Employers and workers will be more successful in establishing safe and healthy work sites if they meet their legislated responsibilities by actively engaging in the development of safe and innovative work practices that address specific hazards.
- Alberta OHS uses both proactive and responsive approaches to establish compliance at Alberta work sites.
- Proactive approaches with employers and industries are evidence-based. These approaches use multiple injury performance measures and compliance data to identify employers and industries who are not meeting legislated health and safety requirements and are most likely to benefit from enhanced educational and inspection activities. Through proactive strategic programs, Alberta OHS focuses resources where the greatest need is identified, and conducts compliance activities to improve performance and decrease associated incidents. SFHW believes that this evidence-based approach will result in improved health and safety at Alberta work sites and a sustained culture of compliance by employers and workers.
- Alberta OHS also acts in a responsive manner to complaints and reported incidents at Alberta work sites. Through inspections and investigations, staff use a variety of compliance tools, ranging from education to prosecutions, to ensure employers and workers meet their responsibilities under OHS legislation. One tool does not fit every situation and the appropriate compliance tool or combination of tools must be selected to ensure employers and workers are directed to meet their responsibilities. Where employers are resistant, the non-compliance is of a serious nature, or a pattern of repeat non-compliance is evident, the strongest enforcement tools will be used.
- Regardless of the approach, the goal of Alberta OHS is to engage with employers and workers in a cooperative manner to eliminate any issues of non-compliance, and attain a sustained culture of health and safety for Alberta workers. Alberta OHS shares learnings from inspections and investigations with employers and workers, conducts compliance activities, and when necessary, enforces compliance with OHS legislation. It is this combination of awareness and education with sound, appropriate enforcement practices that is leading to achievement of the vision, "Healthy and Safe is How Alberta Works."

Alberta OHS uses both proactive and responsive approaches to establish compliance at Alberta work sites

Through proactive strategic programs, Alberta OHS focuses resources where the greatest need is identified, and conducts compliance activities to improve performance and decrease associated incidents. SFHW believes that this evidence-based approach will result in improved health and safety at Alberta work sites and a sustained culture of compliance by employers and workers.

One compliance tool does not fit every situation and the appropriate compliance tool or combination of tools must be selected to ensure employers and workers are directed to meet their responsibilities. Where employers are resistant, the non-compliance is of a serious nature, or a pattern of repeat non-compliance is evident, the strongest enforcement tools will be used.

Regardless of the approach, the goal of Alberta OHS is to engage with employers and workers in a cooperative manner to eliminate any issues of non-compliance, and attain a sustained culture of health and safety for Alberta workers. Alberta OHS shares learnings from inspections and investigations with employers and workers, conducts compliance activities and when necessary enforces compliance with the OHS legislation. It is this combination of awareness and education with sound appropriate enforcement practices that is leading to achievement of the vision,

“Healthy and Safe is How Alberta Works”

Alberta

PROACTIVE PROGRAMS

OHS Index Model

- Launched in October 2014
- Injury Metrics - used all over the world
- Traditional and Classic Safety Metrics
- Offers different views of safety performance
 - Disabling Injury Rate
 - Lost Time Claim Rate
 - Fatality Occurrence
 - Days Lost Frequency Rate (Severity/Duration)
- CMIS OHS Order Information – new

Compare Employers to Industry

Risk Associated with Industry

- Disabling Injury, Lost Time and Days Lost Frequency Rates are compared to industry averages
- Greater than 100% worse than industry – employers are noted for exceptional poor performance
- Occurrence of fatalities
- Four-year period considered in statistical analysis

Proactive Programs

- Proactive Employer Program (PEP)
- Employer Injury and Illness Prevention Program (EIIPP)
- Residential Construction
- Commercial Construction
- Oil and Gas
- Health Care
- Ski Hills
- Sand and Gravel

Alberta

TICKETING

150 Tickets Issued

65 Paid

20 Dismissed

39 Warrants Issued

21 Active

1 Adjournment

2 Reserved Plea

1 Sentence

1 Warrant Recalled

(Worker – 140, Employer – 10)

ADMINISTRATIVE PENALTIES

Administrative Penalties

10 levied

Alberta

INVESTIGATIONS AND PROSECUTIONS

Investigations / Prosecutions

- **Re-organization**
- **Training**
- **Creative Sentencing**
- **Corporate Probation**
(e.g., Criminal Code – Corporate Entities)

Investigations and Mining

Charges laid

| | |
|------------------|-----------|
| 2012-2013 | 4 |
| 2013-2014 | 13 |
| 2015 YTD | 23 |

Are we making a difference?

Are we changing culture?



Alberta



Alberta 

**“Healthy and Safe is how
Alberta Works”**

Rob Feagan
rob.feagan@gov.ab.ca

Twitter: @robfeagan