# Occupational Health Committee Agenda Template

1. Approval of Agenda
2. Approval of Minutes
3. Old Business
   1. Contraventions
   2. Recommendations c.

d.

1. New Business
   1. Set annual objectives
   2. Incident/injury reports
   3. Inspections d.

e.

1. Review Saskatchewan Employment Act sections

a. 3-16, 3-21, 3-22, 3-25, 3-26, 3-27, 3-29, 3-35, 3-36

1. Review OH&S regulation sections a. 2-4, 3-3, 3-4, 3-11, 3-12
2. Complete the *Occupational Health and Safety Program questionnaire (see attached)*

*Note all deficiencies must be accompanied by recommended actions*

1. Safety program policy review
   1. *1.1 Policy Statement*
2. Plan staff awareness
   1. Contents of the safety program
3. Adjournment

*Year One January-March*

# Saskatchewan Employment Act and OH&S Regulations Review

| **Section** | **Title** | **Applies to** | **Requirements** | **Definitions** | **Q & A** |
| --- | --- | --- | --- | --- | --- |
| **Saskatchewan Employment Act** | | | | | |
| **3-16** | Duty to provide information | All committees | (1) In this section, “required information”:  (a) means any information that an employer, contractor, owner or supplier knows or may reasonably be expected to know and that:  (i) may affect the health or safety of any person who works at a place of employment; or  (ii) is necessary to identify and control any existing or potential hazards with respect to any plant or any process, procedure, biological substance or chemical substance used at a place of employment; and  (b) includes any prescribed information.  (2) Subject to section 3‑17 and Division 7, every employer shall keep readily available all required information and provide that information to the following at a place of employment:  (a) the occupational health committee;  (b) the occupational health and safety representative;  (c) the workers, if there is no occupational health committee and no occupational health and safety representative.  (3) Subject to Division 7, every contractor shall provide all required information to:  (a) every employer and self‑employed person with whom the contractor has a contract; and  (b) any occupational health committee established by the contractor.  (4) Subject to Division 7, every owner of a plant used as a place of employment shall provide all required information to every contractor, every employer who employs workers who work in or on the plant and every self‑employed person who works in or on the plant.  (5) Subject to Division 7, every supplier shall provide prescribed written instructions and any other prescribed information to every employer to whom the supplier supplies any prescribed biological substance, chemical substance or plant. | Exemption  3‑17  (1) Subject to Division 7, an employer, owner, contractor or supplier may apply for an exemption from the requirements of subsection 3‑16(2), (3), (4) or (5), as the case may be, with respect to information that contains trade secrets of the applicant by submitting a written request to the director of occupational health and safety.  (2) After consultation with any interested persons that the director of occupational health and safety considers appropriate, the director may exempt an applicant pursuant to subsection (1) from the requirements of subsection 3‑16(2), (3), (4) or (5) with respect to information that contains trade secrets of the applicant.  (3) An exemption pursuant to subsection (2):  (a) must be in writing; and  (b) may be made subject to any terms and conditions that, in the opinion of the director of occupational health and safety, are necessary to secure the health or safety of the workers.  DIVISION 7  Workplace Hazardous Materials Information System | Does your committee have access to *“required information”?* |
| **3-20** | Duty to provide occupational health and safety programs | All committees | (1) An employer at a prescribed place of employment shall establish and  maintain an occupational health and safety program or a prescribed part of an occupational health and safety program in accordance with the regulations made pursuant to this Part.  (2) An occupational health and safety program at a prescribed place of employment must be established and designed in consultation with:  (a) the occupational health committee;  (b) the occupational health and safety representative; or  (c) the workers, if there is no occupational health committee and no  occupational health and safety representative.  (3) An occupational health and safety program must include all prescribed  documents, information and matters.  (4) An occupational health and safety program at a prescribed place of employment must be in writing and must be made available, on request, to the occupational health committee, the occupational health and safety representative, the workers or an occupational health officer.  (5) If the work at a place of employment is carried on pursuant to contracts between a contractor and two or more employers, the contractor shall coordinate the occupational health and safety programs of all employers at the place of employment.  (6) The director of occupational health and safety may order an employer 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  workers based on the criteria set out in subsection (8).  (7) An order issued pursuant to subsection (6) must be in writing.  (8) In making an order pursuant to subsection (6), the director of occupational health and safety 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. |  | Does the employer have a written Occupational Health & Safety program?  Do workers and/or Occupational Health Committees have access to it?  Is the Occupational Health Committee involved in designing and establishing the program? |
| **3-22** | Establishment of committees | All committees | (1) Subject to the regulations made pursuant to this Part, at every place of employment where 10 or more workers of one employer work, the employer shall:  (a) establish an occupational health committee at the place of employment; and  (b) designate persons as members of the occupational health committee in accordance with this section.  (2) An occupational health committee must consist of at least two and no more than 12 persons.  (3) At least half of the members of an occupational health committee must represent workers other than workers connected with the management of the place of employment.  (4) No person who represents workers shall be designated as a member of an occupational health committee unless the person:  (a) has been elected from the place of employment for that purpose by the workers whom the person would represent;  (b) has been appointed from the place of employment in accordance with the constitution or bylaws of the union of which the workers are members; or  (c) if more than one union represents the workers whom the person would represent on the committee, has been appointed for that purpose from the place of employment pursuant to an agreement among all those unions. | “employer” means, subject to section 3‑29, a person, firm, association or body that has, in connection with the operation of a place of employment, one or more workers in the service of the person, firm, association or body  “occupational health committee” means an occupational health  committee established pursuant to section 3‑22 or 3‑23 or the regulations made pursuant to this Part  “worker” means:  (i) an individual, including a supervisor, who is engaged in the service of an employer; or  (ii) a member of a prescribed category of individuals | Is your Occupational Health Committee’s membership at least half worker representatives?  Are your worker representatives appointed by a union or by the workers? |
| **3-25** | Duty to post names | All committees | 3‑25(1) A person who is required to establish an occupational health committee pursuant to section 3‑22 or 3‑23 or the regulations made pursuant to this Part shall post the names of the members of the committee in a conspicuous location at every place of employment of workers represented by the committee.  (2) An employer who is required to designate an occupational health and safety representative pursuant to section 3‑24 shall post the name of the representative in a conspicuous location at every place of employment of workers represented by the representative. |  | Are members names posted?  Is the list of members names current? |
| **3-26** | General concern of  committees | All committees | An occupational health committee and an occupational health and safety  representative shall have a continuing concern with respect to the health, safety and welfare at a place of employment of workers represented by the committee or the representative. |  | Is the Occupational Health Committee continually concerned with the health, safety and welfare of the workers? |
| **3-27** | Duties of the committee | All committees | (1) The duties of an occupational health committee are the following:  (a) to participate in the identification and control of health and safety hazards in or at the place of employment;  (b) to cooperate with the occupational health and safety service, if any,  established for the place of employment;  (c) to establish, promote and recommend the means of delivery of occupational health and safety programs for the education and information of workers;  (d) to maintain records with respect to the duties of the committee pursuant  to this section;  (e) to investigate any matter mentioned in section 3‑31;  (f) to receive, consider and resolve matters respecting the health and safety  of workers;  (g) to carry out any other duties that are specified in this Part or the regulations made pursuant to this Part.  (2) An employer or contractor shall ensure that the duties of the occupational health committee imposed by this Part or the regulations made pursuant to this Part are not diminished by any other committee established within the place of employment by the employer or contractor. | Right to refuse dangerous work  3‑31  A worker may refuse to perform any particular act or series of acts at a place of employment if the worker has reasonable grounds to believe that the act or series  of acts is unusually dangerous to the worker’s health or safety or the health or safety of any other person at the place of employment until:  (a) sufficient steps have been taken to satisfy the worker otherwise; or  (b) the occupational health committee has investigated the matter and advised the worker otherwise. | Is your committee fulfilling its duties? |
| **3-29** | Reference of matters to occupational health officer | All committees | (1) In this section, “employer” means any person who is required to establish an occupational health committee pursuant to section 3‑22 or 3‑23 or the regulations made pursuant to this Part or to designate an occupational health and safety  representative pursuant to section 3‑24.  (2) If an employer does not resolve an issue or address a concern raised by an occupational health committee or an occupational health and safety representative with respect to the health, safety and welfare of the workers at a place of employment,  the employer shall provide written reasons for not resolving the issue or addressing the concern to the committee or to the representative.  (3) If the parties cannot resolve an issue or address a concern after the provision of written reasons by the employer pursuant to subsection (2), any of the following may refer the matter to an occupational health officer:  (a) the employer;  (b) the occupational health committee;  (c) a member of the occupational health committee;  (d) the occupational health and safety representative.  (4) If a matter is referred to an occupational health officer pursuant to subsection (3), the officer may:  (a) determine that there is no issue or concern and inform the person who referred the matter of the determination;  (b) endeavour to mediate an acceptable resolution of the matter and, if the matter cannot be resolved, give written reasons to the employer and to the occupational health committee or the occupational health and safety representative, as the case may be, why the matter cannot be resolved; or  (c) issue a notice of contravention in accordance with this Part.  (5) Nothing in this section limits the right of a worker to refer any matter respecting occupational health and safety directly to an occupational health officer. | “occupational health officer” means a person appointed as an occupational health officer pursuant to section 3‑6  “notice of contravention” means a notice of contravention served  pursuant to section 3‑38 | Is your committee forwarding unresolved concerns the “employer”?  Are you receiving written responses? |
| **3-35** | Discriminatory action prohibited | All committees | No employer shall take discriminatory action against a worker because the worker:  (a) acts or has acted in compliance with:  (i) this Part or the regulations made pursuant to this Part;  (ii) Part V or the regulations made pursuant to that Part;  (iii) a code of practice issued pursuant to section 3‑84; or  (iv) a notice of contravention or a requirement or prohibition contained in a notice of contravention;  (b) seeks or has sought the enforcement of:  (i) this Part or the regulations made pursuant to this Part; or  (ii) Part V or the regulations made pursuant to that Part;  (c) assists or has assisted with the activities of an occupational health  (d) seeks or has sought the establishment of an occupational health committee or the designation of an occupational health and safety representative;  (e) performs or has performed the function of an occupational health committee member or occupational health and safety representative;  (f) refuses or has refused to perform an act or series of acts pursuant to section 3‑31;  (g) is about to testify or has testified in any proceeding or inquiry pursuant to:  (i) this Part or the regulations made pursuant to this Part; or  (ii) Part V or the regulations made pursuant to that Part;  (h) gives or has given information to an occupational health committee, an occupational health and safety representative, an occupational health officer or other person responsible for the administration of this Part or the regulations  made pursuant to this Part with respect to the health and safety of workers at a place of employment;  (i) gives or has given information to a radiation health officer within the  meaning of Part V or to any other person responsible for the administration of that Part or the regulations made pursuant to that Part;  (j) is or has been prevented from working because a notice of contravention with respect to the worker’s work has been served on the employer; or  (k) has been prevented from working because an order has been served pursuant to Part V or the regulations made pursuant to that Part on an owner, vendor or operator within the meaning of that Part. | “discriminatory action” means any action or threat of action by an employer that does or would adversely affect a worker with respect to any terms or conditions of employment or opportunity for promotion, and includes termination, layoff, suspension, demotion or transfer of a worker, discontinuation or elimination of a job, change of a job location, reduction in wages, change in hours of work, reprimand, coercion, intimidation or the imposition of any discipline or other penalty, but does not include:  (i) the temporary assignment of a worker to alternative work, pursuant to section 3‑44, without loss of pay to the worker; or  (ii) the temporary assignment of a worker to alternative work, without loss of pay to the worker, while:  (A) steps are being taken for the purposes of clause 3‑31(a) to satisfy the worker that any particular act or series of acts that the worker refused to perform pursuant to that clause is not unusually dangerous to the health or safety of the worker or any other person at the place of employment;  (B) the occupational health committee is conducting an investigation pursuant to clause 3‑31(b) in relation to the worker’s refusal to perform any particular act or series of acts; or  (C) an occupational health officer is conducting an investigation  requested by a worker or an employer pursuant to clause 3‑32(a) | Are employees aware of their protection under the Act?  Are you aware of any *“discriminatory actions”?* |
| **3-36** | Referral to an officer | All committees | (1) A worker who, on reasonable grounds, believes that the employer has taken discriminatory action against him or her for a reason mentioned in section 3‑35 may refer the matter to an occupational health officer.  (2) If an occupational health officer decides that an employer has taken discriminatory action against a worker for a reason mentioned in section 3‑35, the occupational health officer shall serve a notice of contravention requiring the employer to:  (a) cease the discriminatory action;  (b) reinstate the worker to his or her former employment on the same terms and conditions under which the worker was formerly employed;  (c) subject to subsection (5), pay to the worker any wages that the worker  would have earned if the worker had not been wrongfully discriminated  against; and  (d) remove any reprimand or other reference to the matter from any  employment records maintained by the employer with respect to that worker. |  | Has an employee ever gone to an occupational health officer believing there have reasonable grounds that the employer took discriminatory action against them acting on any item in 3-35? (see above) |
| **Occupational Health and Safety Regulations** | | | | |  |
| **2-4** | Medical Information | All committees | (1) Subject to subsection 21(2), no person who acquires information of a personal medical nature with respect to a worker pursuant to these regulations shall disclose that information except:  (a) to the worker;  (b) to the chief occupational medical officer;  (c) with the informed consent of the worker, to another person; or  (d) where otherwise required by law.  (2) A physician who attends or treats a worker who is suffering from or believed to be suffering from a medical condition that is related to the present or past employment of the worker and is listed in Table 6 of the Appendix shall, without undue delay, inform the director of:  (a) the medical condition from which the worker is believed to be suffering; and  (b) the name and address of the most recent place of employment where  exposure related to the medical condition is believed to have occurred. | Biological monitoring  21(2) Where a worker is the subject of biological monitoring, an employer shall ensure that:  (a) the worker is informed of the purposes and the results of the monitoring;  (b) at the worker’s request, the detailed results of the monitoring are made available to a physician designated by the worker; and  (c) the aggregate results of the monitoring are given to the committee or the representative.  TABLE 6  [Subsection 10(2)]  Notifiable Medical Conditions Resulting from Occupational Exposure | Does the committee have a process to deal with biological monitoring results? (How will you follow-up with employer that the hazard is controlled; will you need to communicate to employees the existence of a hazard?) |
| **3-3** | Employment of young persons | All committees | (1) An employer or contractor shall ensure that no person under the age of 16 years is employed or permitted to work:  (a) on a construction site;  (b) in a production process at a pulp mill, sawmill or woodworking  establishment;  (c) in a production process at a smelter, foundry, refinery or metal processing  or fabricating operation;  (d) in a confined space;  (e) in a production process in a meat, fish or poultry processing plant;  (f) in a forestry or logging operation;  (g) on a drilling or servicing rig;  (h) as an operator of powered mobile equipment, a crane or a hoist;  (i) where exposure to a chemical or biological substance is likely to endanger  the health or safety of the person; or  (j) in power line construction or maintenance.  (2) An employer or contractor shall ensure that no person under the age of 18 years is employed:  (a) underground or in an open pit at a mine;  (b) as a radiation worker;  (c) in an asbestos process as defined in section 330;  (d) in a silica process as defined in section 346; or  (e) in any activity for which these regulations or any other regulations made. | “confined space” means an enclosed or partially enclosed space that:  (i) is not primarily designed or intended for human occupancy, except for the purpose of performing work; and  (ii) has restricted means of entrance and exit  “construction” means the erection, alteration, renovation, repair,  dismantling, demolition, structural maintenance and painting of a structure, and includes:  (i) land clearing, earth moving, grading, excavating, trenching, digging, boring, drilling, blasting and concreting; and  (ii) the installation of any plant    “powered mobile equipment” means a self-propelled machine or a combination of machines, including a prime mover, that is designed to manipulate or move materials or to provide a work platform for workers  “hoist” means a machine that consists of a raising and lowering mechanism  “biological substance” means a substance containing living organisms, including infectious micro‑organisms, or parts of organisms or products of organisms in their natural or modified forms  “chemical substance” means any natural or artificial substance, whether in the form of a solid, liquid, gas or vapour, other than a biological substance  “asbestos process” means any activity that may release asbestos dust, and includes:  (i) the sawing, cutting or sanding of asbestos-containing materials;  (ii) the repair, maintenance, replacement or removal of asbestos surfaces;  (iii) the cleaning or disposal of asbestos materials;  (iv) the mixing or application of asbestos shorts, cements, grouts, putties or similar compounds;  (v) the storing or conveyance of materials containing asbestos; and  (vi) the demolition of structures containing asbestos. | Do you have any young persons working in area that they should not be? (don’t forget volunteers) |
| **3-4** | Duty of employer or contractor to provide information | All committees | An employer or contractor shall:  (a) make readily available for reference by workers a copy of:  (i) the Act;  (ii) any regulations made pursuant to the Act that apply to the place of employment or to any work done there; and  (iii) any standards adopted in the regulations that address work practices or procedures and that apply to the place of employment or to any work done there; and  (b) where the information mentioned in clause (a) or in ~~section 9~~ 3-16 of the Act  will be posted, provide a suitable bulletin board to be used primarily to post information on health and safety related to the place of employment. | “Act” means *The Saskatchewan Employment Act*  Note: the crossed out sections of the Act are from the old OH&S Act, and are replaced with the correct section of *The Saskatchewan Employment Act* | Are the Acts, regulations and all applicable standards available to employees in your facility? |
| **3-11** | Occupational health and safety program | All committees | (1) Subject to subsection (2), an occupational health and safety program required by section 13 of the Act must include:  (a) a statement of the employer’s policy with respect to the protection and maintenance of the health and safety of the workers;  (b) the identification of existing and potential risks to the health or safety of workers at the place of employment and the measures, including procedures to respond to an emergency, that will be taken to reduce, eliminate or control those risks;  (c) the identification of internal and external resources, including personnel and equipment, that may be required to respond to an emergency;  (d) a statement of the responsibilities of the employer, the supervisors and the workers;  (e) a schedule for the regular inspection of the place of employment and of work processes and procedures;  (f) a plan for the control of any biological or chemical substance handled, used, stored, produced or disposed of at the place of employment and, where appropriate, the monitoring of the work environment;  (g) a plan for training workers and supervisors in safe work practices and procedures, including any procedures, plans, policies or programs that the employer is required to develop pursuant to the Act or any regulations made pursuant to the Act that apply to the work of the workers and supervisors;  (h) a procedure for the investigation of accidents, dangerous occurrences and refusals to work pursuant to ~~section 23~~ 3-31 of the Act at the place of employment;  (i) a strategy for worker participation in occupational health and safety activities, including audit inspections and investigations of accidents, dangerous occurrences and refusals to work pursuant to ~~section 23~~ 3-31 of the Act; and  (j) a procedure to review and, where necessary, revise the occupational health and safety program at specified intervals that are not greater than three years and whenever there is a change of circumstances that may affect the health or safety of workers.  (2) The places of employment set out in Table 7 of the Appendix with 10 or more workers are prescribed for the purposes of section 3-20 of the Act.  (3) An employer at a place of employment mentioned in subsection (2) shall establish an occupational health and safety program that meets the requirements of subsection (1). | Note: the crossed out sections of the Act are from the old OH&S Act, and are replaced with the correct section of *The Saskatchewan Employment Act* | Does your employer have an Occupational health and safety program that covers all requirements under Reg 22? |
| **3-12** | Examination of the plant | All committees | An employer, contractor or owner shall:  (a) arrange for the regular examination of any plant under the control of the employer or owner to ensure, to the extent that is reasonably practicable, that the plant is capable of:  (i) withstanding the stress likely to be imposed on the plant; and  (ii) safely performing the functions for which the plant is used; and  (b) as soon as is reasonably practicable, correct any unsafe condition found in the plant and take immediate steps to protect the health and safety of any worker who may be at risk until the unsafe condition is corrected. | “plant” includes any premises, site, land, mine, water, structure, fixture or equipment employed or used in the carrying on of an occupation  “reasonably practicable” means practicable unless the person on whom a duty is placed can show that there is a gross disproportion between the benefit of the duty and the cost, in time, trouble and money, of the measures to secure the duty | Does the Occupational Health Committee regularly examine the workplace? Are all areas being examined? (inside and outside) |

Occupational Health and Safety Program

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 1. Is there a written OH&S program in your workplace? | | | | | Yes | | | No | | | |
| 2. If so, did the Occupational Health Committee have input into: | | |  | | | |  | | | |
| a. The design of the program? | | | | Yes | | | No | | | |
| b. The establishment of the program? | | | | Yes | | | No | | | |
| 3. Does your OH&S program contain the following: | | |  | | | |  | | | |
| 1. Employer policy regarding their commitment to worker health and safety? | | | | Yes | | | No | | | |
| b. Identification of potential and existing risks to workers? | | | | Yes | | | No | | | |
| c. Methods to address those risks, including emergencies? | | | | Yes | | | No | | | |
| d. Internal and external resources to respond to emergencies? | | | | Yes | | | No | | | |
| e. Responsibilities for employers? | | | | Yes | | | No | | | |
| f. Responsibilities for supervisors? | | | | Yes | | | No | | | |
| g. Responsibilities for workers? | | | | Yes | | | No | | | |
| h. Schedule for regular inspection of the workplace and procedures? | | | | Yes | | | No | | | |
| i. Plan to control biological/chemical substances present? | | | | Yes | | | No | | | |
| j. Plan for training workers? | | | | Yes | | | No | | | |
| k. Investigation procedures for dangerous occurrences? | | | | Yes | | | No | | | |
| l. Investigation procedures for work refusals? | | | | Yes | | | No | | | |
| m. Investigation procedures for accidents? | | | | Yes | | | No | | | |
| n. Process to involve workers in investigations, inspections and other | | | |  | | |  | | | |
| OH&S activities? | | | | Yes | | | No | | | |
| 4. 4. Is the program reviewed every three years? | | | Yes | | | | | | No | | | |

Policy Review – Policy 1.3.1 –Policy Statement

What should the policy address? The policy should:

* be current and approved by employer
* include commitment to health and safety
* include corporate health and safety philosophy, goals, responsibilities, accountabilities
* be posted in a visible location
* be communicated to and understood by employees

Policy Review – Year One: January - March