



How to Prepare for an OHS Inspection

Revised May 2023



Information:

Please be advised this is an awareness information session, and is not representative as training under the requirements of the Canada Labour Code, Part II and Canadian Occupational Health and Safety Regulations.



What is the ESDC Labour Program?

- The **Employment and Social Development Canada - Labour Program** is responsible for protecting the rights and well-being of both employees and employers in federally regulated workplaces.
- Officials Delegated by the Head of Compliance and Enforcement (ODHCE) enforce the *Canada Labour Code* and *Occupational Health and Safety Regulations* **in workplaces under federal jurisdiction only.**



Industries under Federal Jurisdiction

- Aboriginal (ABORIG)
- Air Transport (AIRT)
- Banking (BANK)
- Bridges and Tunnels (BRID)
- Broadcasting (BROAD)
- Communications (COMM)
- Federal Crown Corporations (CRWN)
- Public Service Departments (PUBS)
- Feed, Flour and Seed Mills (FEED)
- Grain Elevators (GRAN)
- Long shoring (LONG)
- Energy and Mining (ENER)
- Pipelines (PIPE)
- Postal Contractors (POST)
- Rail Transport (RAIL)
- Inter-provincial Road Transport (ROAD)
- Water Transport (WATR)



Topics

- Role of a Health and Safety Officer / ODHCE
- How Health and Safety Officers interact with Employers (ERs), Employees (EEs), and the Work Place Health and Safety Committee (WPC)
- Inspection Process
- Compliance Policy
- Reports
- Gaining Compliance



Role of a Health and Safety Officer

To ensure compliance under Part II of the *Canada Labour Code* and the applicable Regulations in the work place.

We do this by

- Conducting Inspections
- Investigating Hazardous Occurrences and Fatalities
- Investigating Complaints and Refusals to Work



Role of a Health and Safety Officer

- Workplace Inspections
- General Counselling on health and safety
- Committee Aid and Audits
- Technical Surveys
- Jurisdiction Investigations
- Accident Investigations
- Prosecutions



Powers of a Health and Safety Officer

1. Conduct examinations, tests, inquiries, investigations and inspections or direct the employer to conduct them;
2. Take or remove for analysis, samples of any material or substance or any biological, chemical or physical agent;
3. Be accompanied or assisted by any person and bring any equipment that the officer deems necessary to carry out the officer's duties;
4. Take or remove, for testing, material or equipment if there is no reasonable alternative to doing so;
5. Take photographs and make sketches;
6. Direct the employer or an employee or a person designated by either of them to accompany the officer while the officer is in the work place;



Powers of a Health and Safety Officer

7. Direct the employer to ensure that any place or thing specified by the officer not be disturbed for a reasonable period pending an examination, test, inquiry, investigation or inspection in relation to the place or thing;
8. Direct any person not to disturb any place or thing specified by the officer for a reasonable period pending an examination, test, inquiry, investigation or inspection in relation to the place or thing;
9. Direct the employer to produce documents and information relating to the health and safety of the employer's employees or the safety of the work place and to permit the officer to examine and make copies of or take extracts from those documents and that information;
10. Direct the employer or an employee to make or provide statements, in the form and manner that the officer may specify, respecting working conditions and material and equipment that affect the health or safety of employees;
11. Meet with any person in private or, at the request of the person, in the presence of the person's legal counsel or union representative.



How we interact with Employers, Employees and Health and Safety Representatives & Committees

- **Inspections:** Allows for the participation of an employee member of the committee in inspections.
- **Internal Complaint Resolution Process**
- **Hazard Occurrence / Accident Investigations**

Duty to Assist Officer

- Requires that the employer and employees of a work place assist a health and safety officer in carrying out their duties under the *Code*.



Workplaces / OHS Inspections

- The goal of workplace inspections is to **prevent** accidents and injuries in the workplace by identifying and recording actual and potential hazards posed by buildings, equipment, the environment, processes and practices.



Workplace / OHS Inspections

- Regular inspections help ensure that occupational health and safety hazards are addressed before they result in possible injuries.
- Part II of the CLC requires the health and safety committee/representative to carry out **monthly** inspections in the workplace in whole or in part.
- In the event that a hazard is identified and the committee/representative is not authorized to remove it, recommendations must be forwarded to the employer.
- The employer is required to provide a written response to the committee/representative **within 30 days on how the issue will be resolved.**



Workplace Inspection Process

- An inspection may be done by a Health and Safety Officer (HSO) with no prior notification to the Employer.
- During an inspection an HSO may conduct activities to establish facts about a work site. Some examples include:
 - taking measurements, samples, photos or recordings
 - speaking with employees
 - asking for and/or making copies of documentation
- Employers must identify their workers if requested to do so by an officer.



Workplace Inspection Process

- HSO will request to meet with Employer & Employee Representative (identification provided by the HSO).
- HSO will ensure they are protected in the workplace by following safe work procedures as instructed by the Employer.
- HSO will brief the parties on the inspection (Purpose of the visit and areas to be inspected).
- HSO will inspect the common areas of the workplace where employees are engaged for work by the employer (buildings, equipment, the environment, processes and practices.)



Workplace Inspection Process

- HSO may ask for documentation (WPC minutes, inspection records, Hazardous Occurrence Investigation Reports (HOIRS), Employers' Annual Hazardous Occurrence Report (EAHOR), WPC Report, policies, procedures, Hazard Prevention Program (HPP), Maintenance records, Manuals, Safety Data Sheets (SDS), etc.)
- HSO will de-brief with the parties and follow up with a report on items identified in non-compliance (Assurance of Voluntary Compliance or Directions).
- The Employer must respond to the HSO in writing within 14 days of how they have or intend to comply with the item of non-compliance identified.
- HSO may follow up with the employer to ensure compliance achieved.



Documents Requested

Training Records / Policies / Procedures:

- Training records on roles and responsibilities under CLC part II for; Workplace Committee Members, Managers and Supervisors and Employees informed of their responsibilities under the CLC Part II
- Monthly workplace inspection records and workplace committee meeting minutes
- Harassment and Violence Prevention Procedure Training (policy and procedure)
- Hazard Prevention Program (safe work procedures for employees, PPE list, MMHE training including shunt operators, technical surveys, SDS records and training)

Maintenance Records:

- Preventative maintenance schedule for MMHE, HVAC, equipment, etc.
- Maintenance records for MMHE, HVAC, equipment, etc.
- Manuals for pneumatic tools and equipment

Reports:

- Employer Annual Hazard Occurrence Report
- Hazard Occurrence Investigation Reports
- Workplace Committee Report
- Employers Annual Harassment and Violence Occurrence Report



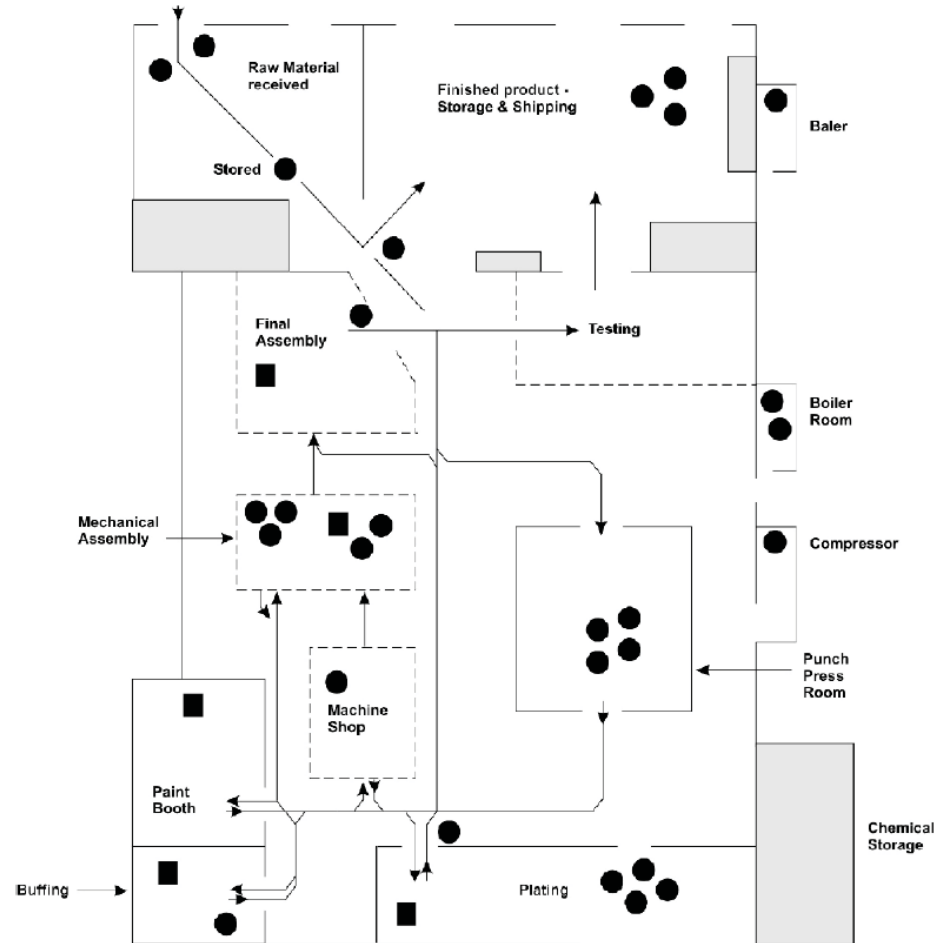
Health and Safety Board

1. Corporate Health and Safety Policy- Dated & Signed
2. *Canada Labour Code*, Part II – Hard Copy
3. *Canada Occupational Health and Safety Regulations* (1-19) *readily available to employees
4. Health and Safety Representative (or) Workplace Committee Member Names and Contact Information
5. Workplace Committee Meeting minutes
6. Indoor Air Quality Contact (COHSR 2.26)
7. First Aid Attendant Contacts
8. Workplace Harassment and Violence Prevention Policy

*Any Assurance of Voluntary Compliance (AVC) or Directions Issued



Sample Floor Plan Layout



Sample Inspection Checklist

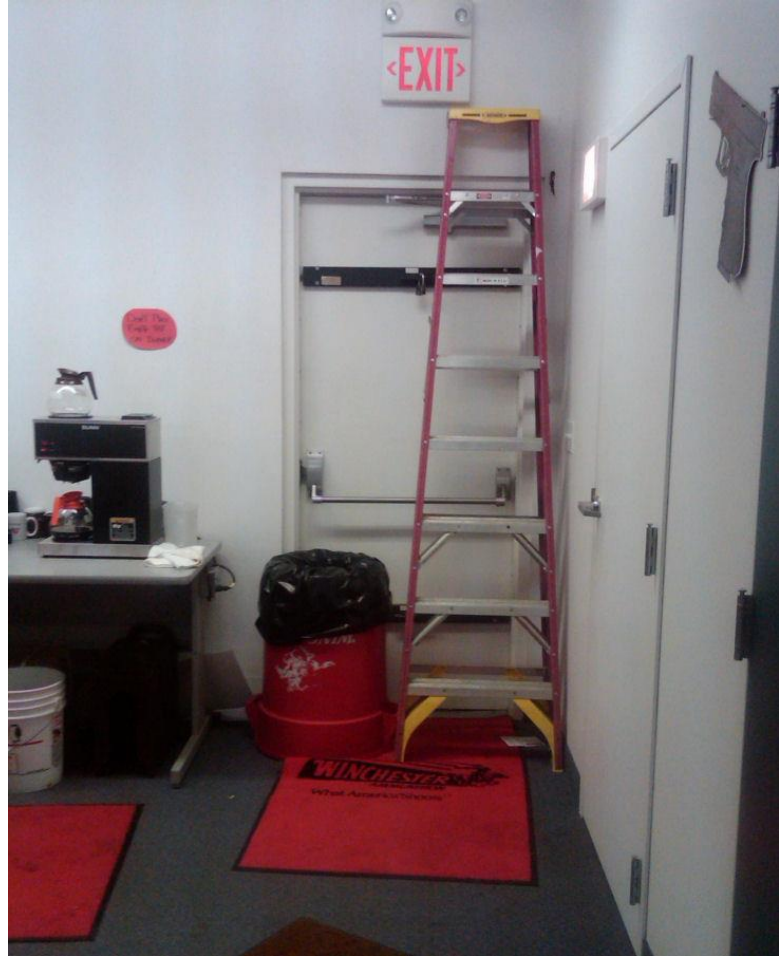
| | | | |
|-----------------------------------|--|---|--|
| 1. Ventilation | <input type="checkbox"/> Fumes <input type="checkbox"/> Vapors | <input type="checkbox"/> Dusts <input type="checkbox"/> Others | |
| 2. Yards and Buildings | <input type="checkbox"/> Access <input type="checkbox"/> Structure condition | <input type="checkbox"/> Aisles <input type="checkbox"/> Roads | <input type="checkbox"/> Work areas <input type="checkbox"/> Housekeeping |
| 3. Floors, Stairways and Walkways | <input type="checkbox"/> Condition <input type="checkbox"/> Housekeeping | <input type="checkbox"/> Guardrails <input type="checkbox"/> Illumination | <input type="checkbox"/> Handrails |
| 4. Ladders, Scaffolds, etc. | <input type="checkbox"/> Suitability <input type="checkbox"/> Properly used | <input type="checkbox"/> Strength <input type="checkbox"/> Properly maintained | |
| 5. Excavations | <input type="checkbox"/> Shored or sloped <input type="checkbox"/> Access | <input type="checkbox"/> Barricaded <input type="checkbox"/> Spoilage piles | |
| 6. Illumination | <input type="checkbox"/> Day – Work areas <input type="checkbox"/> Night – Work areas | <input type="checkbox"/> Passageways <input type="checkbox"/> Passageways | <input type="checkbox"/> Cours <input type="checkbox"/> Cours |
| 7. Electrical Equipment | <input type="checkbox"/> Condition | <input type="checkbox"/> Identification of controls | |
| 8. Harmful Materials | <input type="checkbox"/> Storage | <input type="checkbox"/> Handling | |
| 9. Personal Protective Equipment | <input type="checkbox"/> Adequacy <input type="checkbox"/> Availability | <input type="checkbox"/> Condition <input type="checkbox"/> Used | |
| 10. Equipment | <input type="checkbox"/> Controls accessible <input type="checkbox"/> Condition | <input type="checkbox"/> Lock-out procedures <input type="checkbox"/> Operating procedures | <input type="checkbox"/> Controls identified |
| 11. Machine Guards | <input type="checkbox"/> Power Transmission | <input type="checkbox"/> Point of operation | |
| 12. Hand Tools | <input type="checkbox"/> Condition | <input type="checkbox"/> Suitability | |
| 13. Portable Power Tools | <input type="checkbox"/> Condition | <input type="checkbox"/> Suitability | <input type="checkbox"/> Grounded <input type="checkbox"/> Double insulated |
| 14. Hoisting Equipment | <input type="checkbox"/> Controls layout <input type="checkbox"/> Safety devices | <input type="checkbox"/> Rigging <input type="checkbox"/> Records | <input type="checkbox"/> Signals |
| 15. Materials Handling Equipment | <input type="checkbox"/> Condition <input type="checkbox"/> Controls | <input type="checkbox"/> Guards <input type="checkbox"/> Records | |
| 16. Material Storage | <input type="checkbox"/> Stability | <input type="checkbox"/> Convenience | <input type="checkbox"/> Housekeeping |
| 17. First Aid | <input type="checkbox"/> Supplies <input type="checkbox"/> Condition of Supplies | <input type="checkbox"/> Qualified attendant if required | <input type="checkbox"/> Records |
| 18. Fire Prevention | <input type="checkbox"/> Equipment <input type="checkbox"/> Firefighting training | <input type="checkbox"/> Exits <input type="checkbox"/> Evacuation training | <input type="checkbox"/> Flammable materials controlled <input type="checkbox"/> Fire prevention training |
| 19. Work procedures | <input type="checkbox"/> Report each observation of unsafe practice | <input type="checkbox"/> Of faulty procedure | |
| 20. Health and Safety Program | <input type="checkbox"/> Health and Safety Policy | <input type="checkbox"/> Part II of the Code posted | |



Some examples observed



Fire Exits



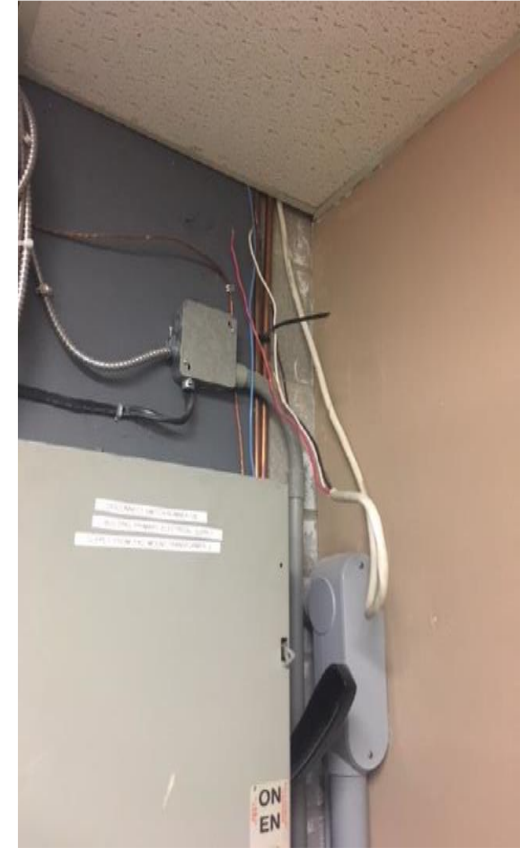
Housekeeping



Ramps & Portable Dock Plates



Electrical Hazards



Hazardous Confined Spaces



Tools and Equipment



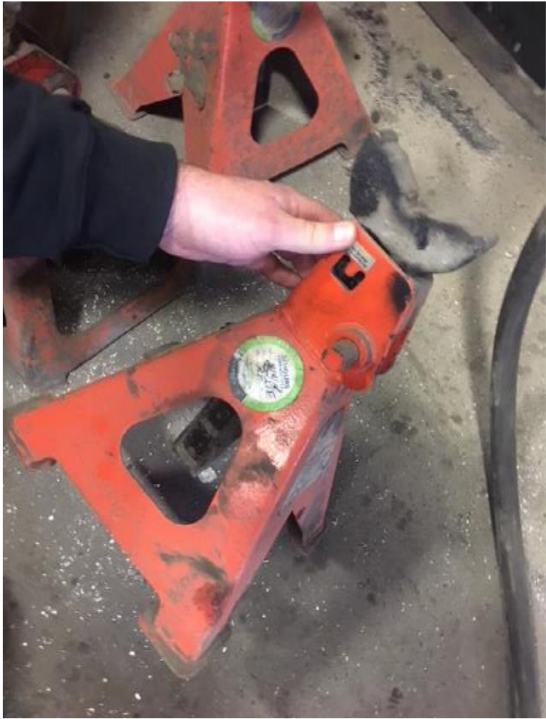
Racking



Machine Guarding



Motorized and Non-Motorized Material Handling Equipment



First Aid



Compliance Policy

- Assurance of Voluntary Compliance
- Directions to Employers and / or Employees
- Administrative monetary penalties
- Injunctions
- Prosecution



Achieving Compliance

- Items identified in non-compliance recorded on an Assurance of Voluntary Compliance (AVC) or Direction issued to the Employer or Employee
- **Labour Program Standard:** Our goal is to finalize occupational health and safety cases within 120 days (excluding prosecutions, appeals and technical surveys).
- A follow-up Inspection may be conducted to ensure compliance was achieved



Connect with us...

The Labour Program is working to determine the most effective ways to connect with stakeholders and partners.

- Social media, Twitter, LinkedIn, Facebook
- Publish prosecutions online
- Linking information on the Canada.ca website (Health and Safety)

1-800-641-4049 – Labour Toll Free Line



Follow us on Twitter @ESDC_GC

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Questions?

