



What to Expect from an OHS Inspection

Presented by: OFFICER
NAME

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* (Code) and its respective regulations **in workplaces under federal jurisdiction only.**



Industries under Federal Jurisdiction

- Air transport
- Banking
- Bridges and tunnels
- Broadcasting
- Communications
- Energy and mining
- Federal Crown corporations
- Feed, flour and seed mills
- Grain elevators
- Indigenous / Aboriginal / First Nations
- Longshoring
- Pipelines
- Postal contractors
- Public service departments
- Rail transport
- Road transport
- Water transport



Topics

- Role of a Health and Safety Officer (HSO) / ODHCE
- Internal OHS workplace inspections
- Labour Program OHS workplace inspections
- Labour Program's Compliance Policy
- Achieving 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 workplace.



Role of a Health and Safety Officer

- Workplace inspections
- General counselling or promotion on health and safety
- Committee aid and audits
- Technical surveys
- Jurisdiction investigations
- Complaint investigations
- Hazardous occurrence investigations
- Refusal to work 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 samples of any material or substance or any biological, chemical or physical agent, for analysis.
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 material or equipment for testing, if there is no reasonable alternative to doing so.
5. Take photographs and make sketches.



Powers of a Health and Safety Officer

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 workplace.
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.



Powers of a Health and Safety Officer

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 workplace 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.



OHS Workplace 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.



Internal OHS Workplace Inspections

- Regular inspections help ensure that occupational health and safety hazards are addressed before they result in possible injuries.
- Part II of the Code 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 eliminate the hazard, recommendations must be forwarded to the employer.



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	



Labour Program Workplace Inspections

- Inspections: Allows for the participation of an employee member of the committee or a health and safety representative in inspections.

Duty to assist officer

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



Labour Program Workplace Inspections

- An inspection may be done by a Health and Safety Officer (HSO) or Senior Investigator (SI) with no prior notification to the employer.
- During an inspection, an HSO/SI 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 employees if requested to do so by an HSO/SI.



Labour Program Workplace Inspections

- HSO/SI will request to meet with employer and employee representatives.
 - Identification to be provided by the HSO/SI.
- HSO/SI will confirm jurisdiction of the workplace and may obtain general information about the workplace.
- HSO/SI will ensure they are protected in the workplace by following safe work procedures as instructed by the employer.
- HSO/SI will brief the parties on the inspection.



Labour Program Workplace Inspections

- HSO/SI will inspect the common areas of the workplace where employees are engaged for work by the employer.
- HSO/SI may ask for documentation.
- HSO/SI will debrief with the parties and follow up in writing with items identified in non-compliance pursuant to the Labour Program's Compliance Policy.
- HSO/SI may follow up with the employer to ensure compliance is achieved.



Documents Requested

Training records / policies / procedures:

- Training records on roles and responsibilities under Part II of the Code for Workplace Committee members, managers and supervisors
- Training records for employees on their responsibilities under the Part II of the Code
- Monthly workplace inspection records
- Workplace Health and Safety Committee meeting minutes
- Harassment and violence prevention procedure training
- Hazard prevention program

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



Posting Requirements

The following must be posted in the workplace:

- Workplace Committee member or health and safety representative – names and work contact information
- Indoor air quality contact
- First aid attendant contacts and how they may be located
- Rendering first aid information
- Location of first aid stations and first aid rooms
- Emergency telephone numbers
- Information on transport procedures for injured employees
- Details of evacuation plans and procedures (for workplaces with 50 or more employees)
- Reports of noise exposure levels equal to or greater than 84 dBA (where applicable)



Posting Requirements

The following must be readily available in printed and electronic form in the workplace:

- A copy of Part II of the *Canada Labour Code* and the Regulations
- A statement of the employer's general health and safety policy
- Any other printed material related to health and safety that may be directed by a health and safety officer or that is prescribed (e.g. Direction)



Contravention Examples...



Fire Exits



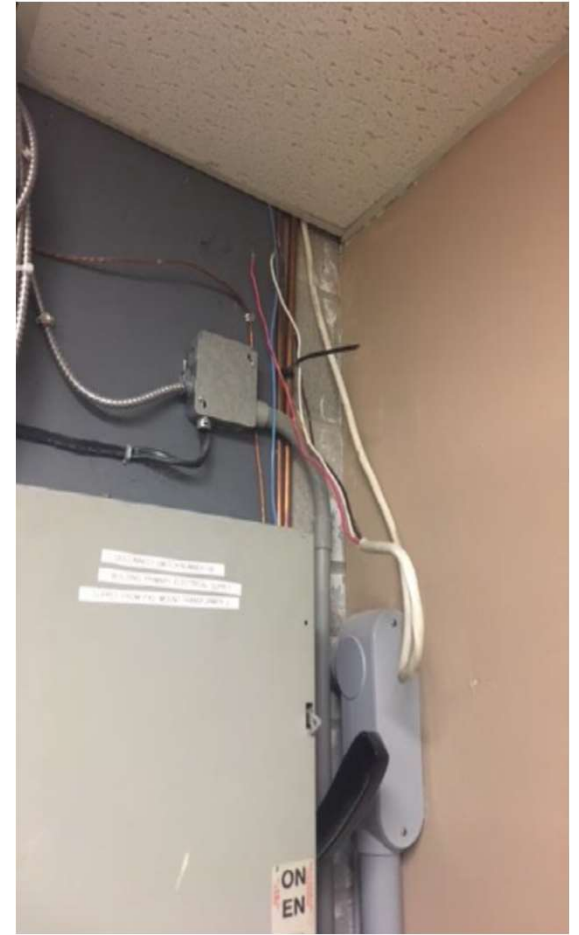
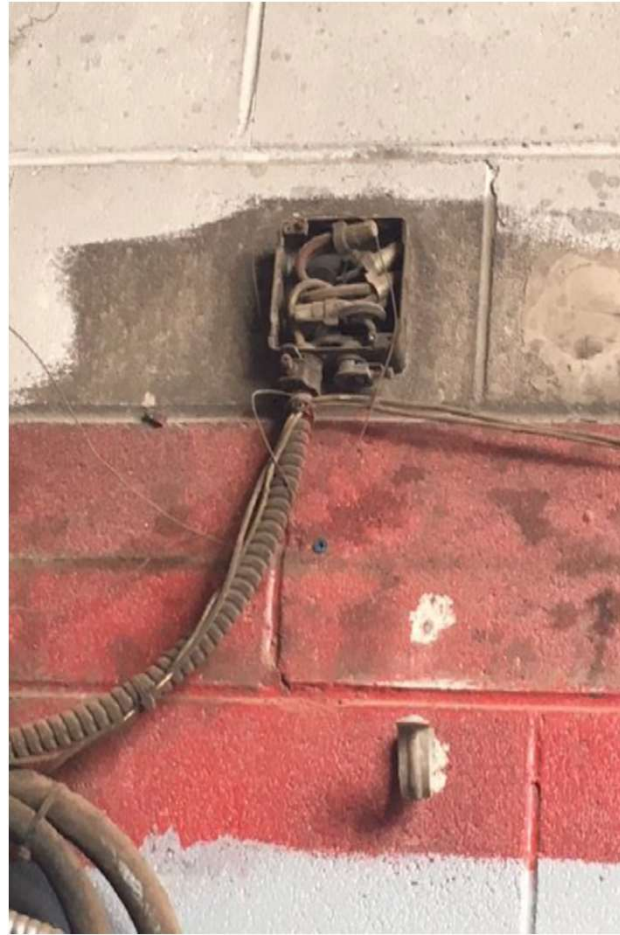
Housekeeping



Ramps and Portable Dock Plates



Electrical Hazards



Hazardous Confined Spaces



Tools and Equipment



Racking



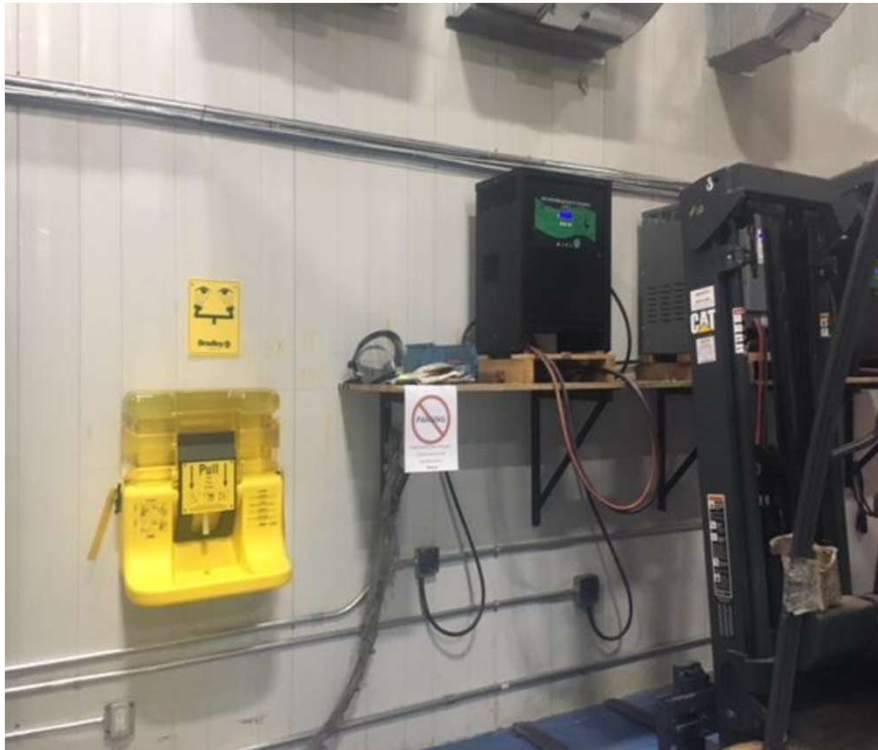
Machine Guarding



Motorized and Non-Motorized Material Handling Equipment



First Aid



Labour Program's Compliance Policy

- Assurance of Voluntary Compliance (AVC)
- Directions to employers
- Administrative Monetary Penalties
- Injunctions
- Prosecution



Achieving Compliance

- Items identified in non-compliance are recorded on an Assurance of Voluntary Compliance (AVC) or Direction issued to the employer or employee.
- AVCs and Directions are required to be responded to within 14 days of the compliance date indicated.
- A follow-up inspection may be conducted to ensure compliance was achieved.
- Labour Program standard: Our goal is to finalize occupational health and safety cases within 120 days (excluding prosecutions, appeals and technical surveys).



Connect with us...

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

- Social media: X (Twitter), LinkedIn, Facebook
- Publishing prosecutions online
- Linking information on the Canada.ca website

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

Follow us on X (Twitter) 

@ESDC_GC

www.labour.gc.ca

