

## OH&S LEGISLATION REVIEW PROJECT

DRAFT – JUNE 2013

### Topic: Work Alone

#### **Nova Scotia**

While the document for Nova Scotia; is well laid out, it dose not have anything specific to the work alone language.

While searching for anything specific, it consistently refers to a “catch all phrase” to imply” all within the act and regulations”, Under the workers responsibilities.

#### **Newfoundland**

Again while searching for specific Work Alone language, I found none in the table of contents; nor was there specific wording other than in the Workers duties and responsibilities, catch all phrase.

#### **New Brunswick**

When I searched for the Work alone language the below information was found:

1 This Regulation may be cited as the *Code of Practice for Working Alone Regulation - Occupational Health and Safety Act*.

2 An employer shall establish a code of practice to ensure, so far as is reasonably practicable, the health and safety of an employee who works alone at any time at a place of employment from risks arising out of, or in connection with, the work assigned.

3 An employer shall ensure that the code of practice referred to in section 2 includes, without being limited to, the following information:

- (a) the name, address, location and telephone number of the place of employment;
- (b) the name, address, location and telephone number of the employer;
- (c) the nature of the business conducted at the place of employment.

Quite easy to locate in this act. ☺

## **Prince Edward Island**

When searching for Work Alone language specific, nothing is found other than the Workers duties as below:

12 (1) An employer shall ensure:

- (a) that every reasonable precaution is taken to protect the occupational health and safety of persons at or near the workplace.

## **Quebec**

When I did a search for Work alone Language nothing was found, other than the standard Workers Duties, to a safe and particle process.

## **Ontario**

There was nothing in the table of contents or when I did a search.

Other than the cover all in responsibilities of:

23 (1) A constructor shall ensure, on a project undertaken by the constructor that:

- (a) the measures and procedures prescribed by this Act and the regulations are carried out on the project;
- (b) every employer and every worker performing work on the project complies with this Act and the regulations.

### **DUTIES OF WORKERS**

28 (1) A worker shall:

- (a) work in compliance with the provisions of this Act and the regulations;
- (b) use or wear the equipment, protective devices or clothing that the worker's employer requires to be used or worn;
- (c) report to his or her employer or supervisor the absence of or defect in any equipment or protective device of which the worker is aware and which may endanger himself, herself or another worker; and
- (d) report to his or her employer or supervisor any contravention of this Act or the regulations or the existence of any hazard of which he or she knows.

(2) No worker shall:

- (a) remove or make ineffective any protective device required by the regulations or by his or her employer, without providing an adequate temporary protective device and when the need for removing or making ineffective the protective device has ceased, the protective device shall be replaced immediately;
- (b) use or operate any equipment, machine, device or thing or work in a manner that may endanger himself, herself or any other worker; or
- (c) engage in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct.

29 (1) The owner of a workplace that is not a project shall:

- (a) ensure that such facilities as are prescribed are provided;
  - (i) any facilities prescribed to be provided are maintained as prescribed,
  - (ii) the workplace complies with the regulations, and
  - (iii) no workplace is constructed, developed, reconstructed, altered or added to except in compliance with this Act and the regulations.

## **Manitoba**

### **WORKING ALONE OR IN ISOLATION**

#### **APPLICATION**

This Part applies to every workplace where a worker works alone or works in isolation.

#### **RISK IDENTIFICATION**

9.2 (1) When a worker works alone or works in isolation, an employer must identify the risks arising from the conditions and circumstances of the worker's work in consultation with:

- (a) the committee at the workplace;
- (b) the representative at the workplace; or
- (c) when there is no committee or representative, the workers at the workplace.

9.2 (2) An employer must, so far as is reasonably practicable, take steps to eliminate or reduce the identified risks to workers working alone or working in isolation.

#### **SAFE WORK PROCEDURES**

9.3 (1) An employer must:

- (a) develop and implement safe work procedures to eliminate or reduce the identified risks to workers working alone or working in isolation;

- (b) train workers in the safe work procedures; and
- (c) ensure that workers comply with the safe work procedures.

9.3 (2) at the workplace The safe work procedures must include:

- (a) the establishment of an effective communication system that consists of;
  - (i) radio communication,
  - (ii) telephone or cellular phone communication, or
  - (iii) any other means that provides effective communication given the risks involved,
- (b) any of the following:
  - (i) a system of regular contact by the employer with the worker working alone or in isolation,
  - (ii) limitations on or prohibitions of specified activities,
  - (iii) the establishment of training requirements, and
- (c) where applicable, the provision of emergency supplies for use in travelling or working under conditions of extreme cold or other inclement weather conditions.

9.3 (3) An employer must post a copy of the safe work procedures in a conspicuous place.

## **Saskatchewan**

### **WORKING ALONE OR AT ISOLATED PLACE OF EMPLOYMENT**

35 (1) In this section, “to work alone” means to work at a worksite as the only worker of the employer or contractor at that worksite, in circumstances where assistance is not readily available to the worker in the event of injury, ill health or emergency.

(2) Where a worker is required to work alone or at an isolated place of employment, an employer or contractor, in consultation with the committee, the representative or, where there is no committee or representative, the workers, shall identify the risks arising from the conditions and circumstances of the worker’s work or the isolation of the place of employment.

(3) An employer or contractor shall take all reasonably practicable steps to eliminate or reduce the risks identified pursuant to subsection (2).

(4) The steps to be taken to eliminate or reduce the risks pursuant to subsection (3):

- (a) must include the establishment of an effective communication system that consists of;
  - (i) radio communication,
  - (ii) phone or cellular phone communication, or
  - (iii) any other means that provides effective communication in view of the risks

involved, and

(b) may include any of the following;

- (i) regular contact by the employer or contractor with the worker working alone or at an isolated place of employment,
- (ii) limitations on, or prohibitions of, specified activities,
- (iii) establishment of minimum training or experience, or other standards of competency,
- (iv) provision of personal protective equipment,
- (v) establishment of safe work practices or procedures,
- (vi) provision of emergency supplies for use in travelling under conditions of extreme cold or other inclement weather conditions.

## **Alberta**

Again, nothing found in the Table of contents, or search results. Other than this:

### **OBLIGATIONS OF EMPLOYERS, WORKERS, ETC.**

2 (1) Every employer shall ensure, as far as it is reasonably practicable for the employer to do so:

- (a) the health and safety of;
  - (i) workers engaged in the work of that employer, and
  - (ii) those workers not engaged in the work of that employer but present at the work site at which that work is being carried out, and
- (b) that the workers engaged in the work of that employer are aware of their responsibilities and duties under this Act, the regulations and the adopted code.

(2) Every worker shall, while engaged in an occupation:

- (a) take reasonable care to protect the health and safety of the worker and of other workers present while the worker is working; and
- (b) co-operate with the worker's employer for the purposes of protecting the health and safety of;
  - (i) the worker,
  - (ii) other workers engaged in the work of the employer, and
  - (iii) other workers not engaged in the work of that employer but present at the work site at which that work is being carried out.

(3) Every supplier shall ensure, as far as it is reasonably practicable for the supplier to do so, that any tool, appliance or equipment that the supplier supplies is in safe operating condition.

(4) Every supplier shall ensure that any tool, appliance, equipment, designated substance or hazardous material that the supplier supplies complies with this Act, the

regulations and the adopted code.

(5) Every contractor who directs the activities of an employer involved in work at a work site shall ensure, as far as it is reasonably practicable to do so, that the employer complies with this Act, the regulations and the adopted code in respect of that work site.

## **British Columbia**

### **WORKING ALONE OR IN ISOLATION**

#### **DEFINITION**

4.20.1 In sections 4.20.2 to 4.23, "to work alone or in isolation" means to work in circumstances where assistance would not be readily available to the worker:

- (a) in case of an emergency; or
- (b) in case the worker is injured or in ill health.

[B.C. Reg. 318/2007, s. 1]

#### **HAZARD IDENTIFICATION, ELIMINATION AND CONTROL**

4.20.2 (1) Before a worker is assigned to work alone or in isolation, the employer must identify any hazards to that worker.

(2) Before a worker starts a work assignment with a hazard identified under subsection (1), the employer must take measures:

- (a) to eliminate the hazard; and
- (b) if it is not practicable to eliminate the hazard, to minimize the risk from the hazard.

(3) For purposes of subsection (2)(b), the employer must minimize the risk from the hazard to the lowest level practicable using engineering controls, administrative controls or a combination of engineering and administrative controls.

[B.C. Reg. 318/2007, s. 1]

#### **PROCEDURES**

4.21 (1) The employer must develop and implement a written procedure for checking the well-being of a worker assigned to work alone or in isolation.

(2) The procedure for checking a worker's well-being must include the time interval between checks and the procedure to follow in case the worker cannot be contacted, including provisions for emergency rescue.

(3) A person must be designated to establish contact with the worker at predetermined intervals and the results must be recorded by the person.

(4) In addition to checks at regular intervals, a check at the end of the work shift must be done.

(5) The procedure for checking a worker's well-being, including time intervals between the checks, must be developed in consultation with the occupational health and safety committee, if any, or worker occupational health and safety representative, if any.

(6) Time intervals for checking a worker's well-being must be developed in consultation with the worker assigned to work alone or in isolation.

[B.C. Reg. 318/2007, s. 2]

### **TRAINING**

4.22 A worker described in section 4.21(1) and any person assigned to check on the worker must be trained in the written procedure for checking the worker's well-being.

[B.C. Reg. 318/2007, s. 3]

### **LATE NIGHT RETAIL SAFETY PROCEDURES AND REQUIREMENTS**

4.22.1 (1) In this section:

"late night hours" means any time between 11:00 p.m. and 6:00 a.m.;

"late night retail premises" means:

- (a) a gas station or other retail fueling outlet; or
- (b) a convenience store or any other retail store where goods are sold directly to consumers that is open to the public for late night hours.

(2) If a worker is assigned to work alone or in isolation in late night retail premises and there is any risk of harm from a violent act to the worker, then, in addition to any other obligations the employer has under sections 4.20.2 to 4.23:

- (a) the employer must develop and implement a written procedure to ensure the worker's safety in handling money; and
- (b) when that worker is assigned to work late night hours, the employer must also do either or both of the following:
  - (i) ensure that the worker is physically separated from the public by a locked door or barrier that prevents physical contact with or access to the worker,
  - (ii) assign one or more workers to work with the worker during that worker's assignment.

(3) A worker described in subsection (2) must be trained in the written procedure referred to in that subsection.

[B.C. Reg. 318/2007, s. 4;

312/2010, App. B, s. 1]

**MANDATORY PREPAYMENT FOR FUEL**

4.22.2 An employer must require that customers prepay for fuel sold in gas stations and other retail fueling outlets.

[B.C. Reg. 318/2007, s. 4]

**ANNUAL REVIEWS OF PROCEDURES**

4.23 The procedures referred to in sections 4.21 and 4.22.1 must be reviewed at least annually, or more frequently if there is:

- (a) a change in work arrangements which could adversely affect a worker's well-being or safety; or
- (b) a report that the procedures are not working effectively.

[B.C. Reg. 318/2007, s. 5]

**Federal Sector**

I did not find anything in the table of content or in a search specific to work alone.

This act was more difficult to read as it is very different from the other provincial acts.

It did not help having both French and English side by side.

## Comments

I know there is more Work alone information whether it is in Policies and or other documents that are not related to the act but are used provincially.

I know that I received a document from one of our committee members that had :

WorksafeBC (2008). Working Alone or in Isolation. Available:  
<http://www2.worksafebc.com/Publications/OHSRegulation/Part4.asp>

Alberta Human Resources and Employment (2000). Working alone safely: A guide for employers and employees. Available: <http://employment.alberta.ca/sfw/53.html>

Government of Newfoundland and Labrador (2005) Working alone safely: Guidelines for employers and employees,. Available: <http://www.gov.nl.ca/ohs/safety-info/si-working-alone/stm>

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