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## **Executive summary**

The Department of Labour is responsible to set and enforce rules that help make Saskatchewan workplaces safe. As part of its role, the Department requires employers with 10 or more workers to create occupational health committees.

Employers and workers on occupational health committees work together to improve the health and safety of workplaces. The committees help to identify and control workplace hazards. The Department of Labour uses the minutes of the committees to assist with monitoring committee effectiveness.

We examined whether the Department adequately used the minutes of occupational health committees in 2001 to enforce the role of committees in controlling workplace hazards. Our audit focused on committees in high-risk workplaces.

We found that in 2001 the Department adequately used minutes to enforce the role of committees, except that the Department was not consistent in its assistance and intervention to ensure that committees helped to control workplace hazards.

We recommend that the Department improve its processes to respond consistently to committees that request assistance, and to identify those committees that do not conduct workplace safety inspections regularly. We also recommend that the Department take consistent action when occupational health committees in high-risk work places do not submit timely minutes or do not respond to repeated requests from the Department.

## Introduction

For some workers in Saskatchewan, the workplace can be dangerous. During 2001, 29 workers died of work-related causes. Over 14,700 workers had work-related injuries that resulted in time off work.<sup>1</sup>

Health and safety in the workplace are crucial for the welfare of the approximately 460,000 Saskatchewan citizens who participate in the workforce.<sup>2</sup> Safe workplaces have fewer injuries, use fewer health services, and save taxpayers' money. The Department of Labour's role is to establish and enforce the rules that help make workplaces safe for Saskatchewan workers.<sup>3</sup>

## Occupational health committees help reduce hazards

The Department of Labour estimates that there are approximately 40,000 employers in Saskatchewan. The Department estimates that approximately 8,000 employers have 10 or more workers. To help make these workplaces safe, the Department needs to ensure that workplace hazards are identified and controlled. The Department defines a hazard as "any activity, situation, or substance that can cause harm."<sup>4</sup>

It would not be practical to put government inspectors in all workplaces to identify and manage workplace hazards. Therefore, to carry out its mandate, the Department of Labour has created a system that uses occupational health committees. Working together on these committees, employers and workers help identify and control workplace hazards. The occupational health committees are a critical part of the self-monitoring system that keeps workplaces safe.

The Department involves occupational health committees in promoting workplace safety in several ways. These include workplace inspections, education, promotion/awareness initiatives, and minutes that record committee activities to resolve workplace hazards. The Department uses the minutes of the occupational health committees to make sure

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<sup>1</sup> Source: Saskatchewan Workers' Compensation Board. See <http://www.wcbsask.com/>

<sup>2</sup> At December 2001. Source: Government of Saskatchewan, *Monthly Statistical Review*, Vol. 28, No. 1, January 2002.

<sup>3</sup> *The Department of Labour Regulations*, 1997, s.3(d).

<sup>4</sup> Department of Labour, Occupational Health and Safety Committee Manual, p.27.

committees are functioning effectively and thus helping to control workplace hazards.

The Department requires that every employer with 10 or more workers establish an occupational health committee.<sup>5</sup> These committees must meet at least every three months.<sup>6</sup> Committees must also keep minutes in the format specified by the Department and provide the Department with minutes within two weeks of committee meetings.<sup>7</sup>

The Department uses committee minutes to monitor the effectiveness of occupational health committees. The minutes help the Department to assess whether the committees are complying with *The Occupational Health and Safety Act* and regulations. Occupational health officers and other Department staff use information from minutes to carry out their duties, including workplace inspections and accident investigations. In this audit, we focus on how the Department uses the minutes to make sure committees are functioning effectively and thus helping to control workplace hazards.

## **Our audit objective and criteria**

The objective of the audit is to assess whether the Department of Labour adequately used occupational health committee minutes in 2001 to enforce the role of the committees in controlling workplace hazards.

We based our expectations (criteria) upon the Act and regulations, our review of literature, and the reports of other auditors. The Department agreed with the criteria listed in Exhibit 1.

To carry out the audit, we randomly selected 100 workplaces that submit minutes, including workplaces with higher than average risk to workers. We examined the Department's use of minutes during 2001 from the selected workplaces. We interviewed relevant Department staff. Throughout the audit, we followed *The Standards for Assurance Engagements* established by The Canadian Institute of Chartered Accountants.

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<sup>5</sup> *The Occupational Health and Safety Act, 1993*, s.15(1). Employers with fewer workers designate a worker health and safety representative. These were beyond the scope of this audit.

<sup>6</sup> *The Occupational Health and Safety Regulations, 1996*, s.41(1).

<sup>7</sup> *Ibid.*, s.42.

**Exhibit 1—Criteria**

Adequate use of minutes of occupational health committees to enforce the role of committees in controlling workplace hazards, means that the Department of Labour:

1. Identified whether committees met regularly and submitted timely minutes
  - Identified places of employment with 10 or more employees
  - Tracked submission of minutes
  - Reviewed minutes to determine that committees included appropriate members
  - Took appropriate action when minutes were not submitted (e.g., phone call, letter, site visit)
2. Determined whether minutes indicated that committees helped to identify and control hazards
  - Reviewed minutes to determine whether committees documented concerns
  - Reviewed minutes to determine whether committees took or proposed actions to resolve concerns
  - Identified committees that may not have adequately identified concerns
3. Took steps to ensure that those committees that may be not adequately helping to identify and control hazards, do so
  - Provided assistance to committees when needed
  - Undertook investigation or intervention when needed

## Conclusion and recommendations

The Department of Labour promotes workplace safety in various ways. The Department's regulations require occupational health committees to play a key role in reducing the risk of worker deaths and injuries. The Department monitors committee minutes to help determine whether committees are effective in carrying out their role.

We concluded that in 2001 the Department of Labour adequately used minutes to enforce the role of occupational health committees, except that the Department was not consistent in its assistance and intervention to ensure that committees helped to control workplace hazards.

1. **We recommend that the Department improve its processes:**
  - ◆ **to respond consistently to occupational health committees that request assistance; and**
  - ◆ **to identify occupational health committees that do not conduct workplace safety inspections regularly.**

2. **We recommend that the Department take consistent action when occupational health committees in high-risk work places do not submit timely minutes or do not respond to repeated requests from the Department.**

## **Using minutes to enforce the role of committees—key findings**

In this section, we describe our expectations of the Department (*in italics*) and set out our key findings for each criterion.

### **Identified whether committees met regularly and submitted timely minutes**

*We expected that the Department should identify places of employment that should have an occupational health committee (i.e., those with 10 or more workers). We expected the Department to monitor the submission of minutes from these committees and take action when minutes were not submitted as required by law. As well, we expected the Department to review minutes to make sure committees had appropriate members.*

The Department is steadily increasing the number of occupational health committees that it is monitoring. It estimates that about 8,000 employers should have an occupational health committee (i.e., because they employ 10 or more workers). In 2001, the Department received minutes and monitored the occupational health committees of approximately 4,000 employers, representing approximately 198,000 workers.<sup>8</sup> The Department has a process to initiate committees in places of employment where it assesses that the risk to workers is the greatest.

We found that the Department monitored the submission of minutes from workplaces with occupational health committees. The Department reviewed the minutes to determine whether the appropriate members attended committee meetings. The Department centrally reviews minutes and records information from this review in a database. We found that the Department notified committees when their minutes were not submitted or were submitted late.

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<sup>8</sup> Source: Department of Labour estimate.

## Determined whether committees helped to identify and control hazards

*We expected that the Department should review minutes from occupational health committees to determine whether the committees were documenting health and safety concerns as well as taking or proposing action to resolve those concerns. We expected that the Department should identify committees that may not have adequately identified concerns.*

We found that the Department consistently reviewed the minutes to determine whether occupational health committees documented health and safety concerns. Our examination of the Department's database showed that the Department carried out its central review of minutes on a timely basis with few errors. Occupational health officers also review minutes and evaluate whether the committees are documenting concerns and taking steps to resolve concerns in cooperation with employers.

The Department also identified committees that may not have adequately identified concerns. The Department identified committees that repeatedly did not submit minutes or indicated that there were no concerns in their workplace. Because most workplaces have some health and safety concerns, this lack of activity may point to a committee that is not doing its job.

Occupational health committees are responsible for regular inspections of the workplace. A committee inspection is intended to be a "...well thought out, purposeful examination that identifies and helps correct threats to the health and safety of workers."<sup>9</sup> The Department states that "...workplaces with effective inspection systems are more likely than other places of employment to avoid mishaps."<sup>10</sup>

The Department does not require committees to record the date of formal committee inspections in their minutes. Having the date of committee inspections recorded in the minutes would help the Department to take action if the inspections are not frequent enough to assist committees to adequately identify concerns.

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<sup>9</sup> Department of Labour, *Inspections: A Guide for Committees and Representatives*, p.1.

<sup>10</sup> Ibid.

## Took steps to ensure all committees help to identify and control hazards

*We expected that the Department should provide assistance to occupational health committees when needed, for example, to help the committees identify hazards. We expected that the Department should investigate and/or intervene when needed to ensure that committees adequately help to identify or control hazards.*

Occupational health committees sometimes need the Department's assistance or intervention. The Department invites committees to use a space on the required minutes form to request assistance.

In 2001, fifteen per cent of occupational health committees requested assistance through their minutes. Most of the requests were routine (for example, for additional forms). However, some requests were for Department help in identifying and controlling hazards.

We found that the Department responded to virtually all of the requests made through the minutes. We found one exception, which was notable because the request was for assistance in identifying a workplace hazard and because the request came from a committee in a high-risk workplace. Our expectation, and that of the Department, is that the Department will respond to all such requests.

The Department sent written reminders to committees that were late in submitting minutes. The Department did not take further enforcement action in several cases where committees repeatedly failed to submit timely minutes. A failure to submit minutes may be an early indication that workplace hazards are not detected or resolved.

In addition, the Department was not consistent in its treatment of committees that were late in providing minutes or that did not respond to the Department. In some cases, the Department followed up its reminder letters with enforcement measures. In other cases, the Department took no additional enforcement steps. Some of the variation in how the Department responded was due to the varying practice of occupational health officers rather than the risk of hazards in the workplace.



The Department has guidelines for how occupational health officers should follow-up on committees that submit late minutes or do not respond. The guidelines are intended to encourage fair and consistent treatment of committees, while preserving the flexibility of occupational health officers to make decisions based on their assessment of risk to workers. We encourage the Department to promote consistent action by occupational health officers.

## **Summary**

The Department of Labour is responsible for helping to make Saskatchewan workplaces safe. The Department promotes workplace safety in various ways.

Occupational health committees perform an important role. The Department uses occupational health committees and their minutes as one efficient way to enforce its rules for safe workplaces. Minutes of occupational health committees help to inform the Department whether the committees are functioning effectively.

In future audits, we will examine additional risks and issues that the Department must manage to fulfill its mandate and achieve its objectives.

We wish to acknowledge the assistance and co-operation we received during this audit from the Department, and in particular, from its Occupational Health and Safety Division.

## Selected resources

Auditor General of Canada. (2000). Chapter 24 – Federal health and safety regulatory programs. In *The Report of the Auditor General*. Ottawa: Author.

Auditor General of Canada. (2000). Chapter 24, Special insert – Implementing health and safety regulatory programs. In *The Report of the Auditor General*. Ottawa: Author.

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