

## Part III GENERAL DUTIES

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### *Explanations*

#### **Section E15 WORKING ALONE**

The purpose of this explanation is to provide information on when a worker is considered to be working alone or working in isolation. This includes criteria for determining if a worker has assistance that is readily available.

When determining compliance with this Section, serious consideration should be given to Section 22 – Violence Prevention.

**Subsection E15(1)** A worker is considered to be working alone or in isolation when he or she does not have assistance that is readily available in case of emergency, injury, or ill health. In order to determine if assistance is readily available, the following conditions should be considered:

- Presence of others: Are other people in the vicinity?
- Awareness: Will other persons capable of providing assistance be aware of the worker's need?

- Willingness: Is it reasonable to expect those other persons will provide assistance?
- Timeliness: Will assistance be provided within a reasonable period of time?

### **Relying on customers for assistance**

Different circumstances may prevail that will require employers to make a reasonable assessment to determine assistance is readily available. In a retail premises, such as a convenience store, customers are not considered to meet the definition of assistance that is readily available. However, if the worker is in an area where there is a high volume of customers, such as a shopping mall or sports stadium, there may be security staff or workers of other employers available to provide assistance.

### **Agreements with other employers**

If two or more workers of different employers are working together or in the same vicinity and each worker is capable of and willing to provide assistance in a timely manner, this can qualify as assistance that is readily available. An example of this would be a coffee or donut retailer that is situated within premises shared with a retail gas vendor.

Another example would be where a second worker is on the premises for a short period, such as to make deliveries or pickups. In this case, the worker only has assistance that is readily available for the period in which the additional worker is on the premises, and is considered to be working alone once the additional worker leaves the premises.

Employers would need to ensure that the workers of both employers are capable of, and willing to, provide assistance and that the workers are aware of the arrangement, and should put the arrangement in writing.

### **Communication Systems**

Providing workers with electronic means of communication, such as a phone, radio, or personal alarm, does not guarantee that the condition of "assistance that is readily available" has been met.

If a worker cannot be seen or heard by persons capable of providing assistance in a timely manner, then he or she should be regarded as working alone or in isolation.

**Subsection E15(2)** There are a number of ways to perform the assessment.

Depending upon the number of workers and the complexity of the potential hazards, the assessment process may be as simple as a short discussion held

with workers who are given an opportunity for input or as complex as using an assessment team for the workplace or for each department. Assessment teams should include those workers and employer representatives with the knowledge and experience to provide the best input into the process. Another option is for an employer to hire a consultant to work with worker and employer representatives in conducting the assessment.

Where available, members of the health and safety committee or the worker health and safety representative or designate, as applicable, should be invited to participate. They can serve as members of the team or act in a consultative role.

Employers should review the method of assessment and redo the assessment if there is a significant change in the nature of the business or the location of the workplace or in the event of a serious incident. Again, where available, the health and safety committee or the worker health and safety representative or designate should be invited to participate in any review.

The assessment is a step-by-step process that first identifies the nature and type of hazard that could reasonably be anticipated in the workplace, followed by an assessment of the likelihood of such hazards occurring. This assessment should help the employer set priorities and identify tasks that require further analysis to ensure that effective controls can be implemented.

While the size and type of workplace and the nature of the work will dictate the complexity of the assessment, it should generally follow the process outlined below:

- Gather information on previous incidents where workers were exposed to hazards while working alone or in isolation in the workplace, generally over a period of at least a year, preferably 3 years.
- Gather information on experience in similar workplaces, including severity and frequency of any hazards that workers working alone or in isolation have been exposed to. Sources of information may include the Internet, NIOSH, industry associations, or the police.
- Determine the hazard control measures, if any, already in place at the workplace.
- Obtain staff and health and safety committee input (using questionnaires, surveys, formal and informal discussions, and interviews, as appropriate to the size of the workplace).
- Inspect the workplace for hazards.
- Analyze the information.

To determine specific situations that may expose workers to hazards, consider factors such as:

- Occupations and locations that may be at higher risk.

- Types of tasks that may place workers at higher risk. Higher risk tasks may include working with machinery, working from heights, using explosives, or other activities where serious accidents or injuries have occurred in the past.
- Types of foreseeable interactions that may place workers at higher risk. Higher risk interactions may include repossessing furniture, vehicles, etc., issuing fines or other monetary penalties directly to individuals, working with aggressive or unpredictable patients in a healthcare facility, or other interactions that may involve aggravated individuals.

In addition, consider other factors such as:

- The specific workplace layout, including furniture design and placement, and the location of entrances and exits
- The location of the workplace, and the emergency response time necessary to get there in the event of an emergency
- Whether or not the worker may be attacked by an animal or encounter a poisonous material
- The climate of the work environment, including whether or not the worker may be exposed to extreme weather conditions or temperatures
- Whether or not the work is physically demanding so that the worker may be fatigued
- Age, experience, and training of the workers who may be at risk
- Type of equipment, tools and supplies available for use, including emergency communication equipment and emergency supplies such as food and drinking water and appropriate first aid equipment
- Whether or not the worker will need to carry some or all of the emergency supplies and first aid equipment with them during work activities
- Work activities which take a worker out of a safe environment, such as cleaning the area around the gas pumps at 2 a.m.
- Staff deployment and scheduling, including the extent to which persons work at night.

**Subsection E15(3)** Before a worker starts a work assignment with a hazard identified under Subsection 15(2), 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.

*"Administrative controls"* means the provision, use and scheduling of work activities and resources in the workplace, including planning, organizing, staffing and coordinating, for controlling risk.

*"Engineering controls"* means the physical arrangement, design or alteration of workstations, equipment, materials, production facilities or other aspects of the physical work environment, for the purpose of controlling risk.

For purposes of Subsection 15(3), 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.

The purpose of this explanation is to outline ways to conduct a risk assessment to identify hazards to workers assigned to work alone or in isolation and to describe some steps an employer may take to eliminate or minimize identified hazards.

Common situations and occupations where a worker may be working alone or in isolation and exposed to hazards include

- A worker who handles cash such as a convenience store clerk, retail outlet employee, parking attendant and taxi driver
- A worker who meets clients out of the office such as a home care worker, or a social service worker
- A worker who does hazardous work with no regular interaction with other people such as a forestry worker, equipment operator, a worker in the freezer area of a cold storage facility or a night cleaner in a plant
- A worker who is performing work activities alone that may lead to slips or falls, including the use of ladders, or stocking high shelves
- A worker who is at risk of violent attack who is isolated from other workers or public view such as a security guard, custodian, and a night shift employee in a community care or out patient department

The employer is expected to assess the likelihood of hazards to workers working alone or in isolation. The assessment of the hazards should be based on what reasonably could be anticipated for that workplace or work activity.

If employers identify a hazard under Subsection 15(2), the hazard should be eliminated where practicable. The following are examples of how hazards could be eliminated:

- Use video surveillance to remotely monitor an area instead of using an on-site security guard
- Install an automated payment system for services, such as parking, instead of using a cashier/attendant
- Use vending machines to dispense food or other convenience items rather than using a checkout cashier

### **Minimizing the risk of a hazard**

If hazards cannot be eliminated, or it is not practicable to do so, employers should try to minimize the risk from the hazard occurring. The options available to achieve this result are administrative controls and engineering controls.

In selecting measures to reduce risk, preference should be given to implementing available and practicable engineering controls. These controls generally provide "passive protection" which is not dependent on a person taking a specific action. This can be particularly important in an emergency or crisis situation. However, where engineering controls are not practicable or do not reduce the risk to a level that is as low as practicable, administrative controls will need to be developed and implemented.

Some examples of engineering controls include physical arrangements in the workplace to separate the worker from the customers and public by locked doors, pay windows, barriers that are substantial enough to prevent access to the worker, or use of another type of secure enclosure.

Examples of administrative controls include the use of some or all of the following:

- Rearrange the work schedule so that more than one person is always present in the workplace
- Rearrange work schedules so that the hazardous work, such as that which presents a falling hazard, is done while more than one worker is working
- Require that the worker contact the person/company responsible for checking the well being of the worker to ensure that a person check is done before and after the expected completion time of a possibly hazardous activity
- Require mandatory on-site supervision of young workers by an adult
- Use cash handling procedures that require the use of a locked drop safe, keeping only small amounts of cash accessible on the site, installing surveillance cameras, and posting signs indicating that the amount of cash on site is limited
- Use uniformed security guards
- Prohibit high-risk work activities during times when a worker is working alone
- Use a personal emergency call device that a worker may wear on a lanyard around his/her neck and use to call for help in the event of a personal security or emergency issue

**Subsection E15 (4), (5), (6) & (7)**

The purpose of this explanation is to elaborate on requirements of the procedures involving time intervals between checking the well-being of a worker. This section also provides information on technology available to assist in checking the well-being of a worker.

An alternative to a technology-based system may be a "person check" system. A person check system involves one or more people to check on another person

that may be working alone. Such a system may be adequate provided all of the subsections for Section 15 are met.

### **Time intervals**

Time intervals should be developed after considering the risks to which the worker is exposed. This may be done as part of the risk assessment process required under Subsection 15(2) of the Regulations. High risk activities require shorter time intervals between checks. The preferred method for checking is visual or two-way voice contact, but where such a system is not practicable, a one-way system which allows the worker to call or signal for help and which will send a call for help if the worker does not reset the device after a predetermined interval is acceptable.

### **Use of technology to check a worker's well being**

In selecting procedures to check a worker's well-being, employers should give preference to procedures which allow for the visual confirmation of the worker's well-being. Where this is not practicable, employers may use other approaches.

For example, an employer could require workers to make phone calls at scheduled intervals to other workers at another location. Employers may also decide to use one of a number of available technologies to check the well-being of workers. The technologies available include, but are not limited to:

- **Call-in systems:** These systems are available from security service providers and only require access to a phone. Workers call into the system at scheduled intervals during their shift and enter a code to confirm their safety. In the event that a worker fails to phone in by the scheduled interval, the security provider follows a predetermined protocol to make contact with the worker. If the worker cannot be contacted, emergency assistance will be sent.
- **Externally monitored panic alarm devices:** A number of security service providers offer panic alarm devices that workers can carry with them, eliminating the need for access to a phone. As is the case with the call-in systems, panic alarm devices can be programmed to require a worker to confirm their safety at scheduled intervals. Some devices also offer a "person down" feature, which will notify the security provider when a worker does not move for a given period, as well as a panic button, which will automatically alarm the security provider of an emergency. In the event that the person down or panic alarm feature is activated, or a worker fails to confirm their safety at a scheduled interval, the security service provider will attempt to contact the worker before emergency assistance is sent. These devices are designed to be carried on the worker at all times, and can be worn around the worker's neck or on a belt. It is the employer's responsibility to ensure that workers consistently wear the device during the required times.

- **Internally monitored panic alarm devices:** Panic alarm devices can also be purchased with a monitoring station, meaning there is no monitoring performed by a security service provider. The monitoring station can be linked to a number of different panic alarm devices, and will emit an audible signal in the event that a worker fails to confirm their safety or the person down or panic button features are activated. These systems must be monitored continuously.

## **Section E19 CO-ORDINATION OF WORK**

**Subsection E19(1)** An “owner” is defined as a person, or group of persons, representing the entity that owns the place where work activities are being performed. Under this section, the owner is responsible to ensure that ANY person(s) at that workplace are informed of the hazards associated with that operation AND the health and safety activities that are used to control any hazards.

**Subsection E19(2)** A principal contractor must co-ordinate work schedules and tasks to ensure that workers are never exposed to an unsafe work environment.

## **Section E20 TWO OR MORE EMPLOYERS**

**Subsection E20(a)** This section is applicable where at a worksite, there are at least two different employers. One of these workers must be a representative of the principal contractor for that project.

\*\*\*NOTE: Under this subsection a representative may be, but is not limited to, an OHS Worker Health and Safety Representative/Designate as required under Section 25(1) of the Regulations. \*\*\*

**Subsection E20(b)** Each employer must notify the principal contractor of any work that may be hazardous to other employer’s.

The principal contractor must ensure compliance to the Act and Regulations, even if an employer is absent from the site. Employers must ensure that the principal contractor is aware of any conditions or activities that exist at the site in their absence. Just because an employer is not present does not mean that they cannot contribute to the overall safety of that site.

## **Section E21 APPOINTMENT OF QUALIFIED CO-ORDINATOR**

**Subsection E21(a)** This section places responsibility on the “principal contractor” to ensure a healthy and safe workplace. Essentially, this section supplements Section E20 based on the following condition:

- There are two or more employers with six or more workers in total.

Where that condition exists, it is the responsibility of the principal contractor to designate an individual with the responsibility of coordinating communication to ensure a healthy and safe workplace.

**Subsection E21(b)** Furthermore, if “that” individual is not a representative of the principal contractor; the principal contractor must designate a person to perform the duties that the principal contractor deems satisfactory to comply with this section of the Regulations.

Where Section 21(b) exists, the principal contractor must outline what the designated individual is responsible to do; otherwise nobody on the site will have any knowledge as to how communications are to be performed, when they are to be performed, what information is to be communicated, or to whom.

## **Section E24            VIOLENCE PREVENTION - INSTRUCTION TO WORKERS**

**Subsection E24(1)** This section essentially requires that the employer disclose to the worker the results of the ‘risk assessment’ required under Sections 22(2) & 22(3) of the Regulations, as well as the controls that must be implemented under Section 23, where the initial risk assessment identified that a risk “may be present”.