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[Nova Scotia Consultations on Violence Codes of Practice](#)

[Nova Scotia, Ontario Issue Warnings about Buying Posters from Third Parties](#)

[Ontario Mandatory Blood Testing Act, 2006 In Force](#)

[Ontario Buying 55 Million N95 Respirators, Requiring Safety Engineered Needles](#)

[Saskatchewan Strengthens Worker’s Rights Against Harassment](#)

[1000 Workers Evacuated After Fire Breaks out](#)

[Hepatitis in Calgary](#)

[Transportation Safety Board Concerned About Cannabis Use on BC Ferries](#)

[HRSDC Announces New Ergonomics Provisions](#)

[US Court Throws Out Law Allowing Guns in the Workplace](#)

[BLS Reports Workplace Injury and Illness Overall Rate Lowest Ever Recorded](#)

[OSHA Takes Action on Butter Flavorings](#)

[Survey Findings on Slips and Trips Issues](#)

[Trends in Nanotechnology](#)

[Global Nanotech Code Up for Consultation](#)

[British School Proprietor Sentenced in Student’s Death](#)

[British Corporate Manslaughter and Corporate Homicide Act](#)

[Swiss Convict 4 Air Controllers Over 2002 Jet Crash](#)

[Simplification and Review of European Radiation Protection Directives](#)

[Grupo Mexico ‘Negligent’ in Mine Blast](#)

[Town Removes Traffic Signs to Increase Safety](#)

### **Nova Scotia Consultations on Violence Codes of Practice**

The Nova Scotia Department of Environment and Labour made 3 violence-related codes of practice available for consultation. The codes deal with violence issues in the taxi, small retail and retail gas sectors. The consultations are open until October 26, 2007 for the retail sectors and November 9, 2007 for the taxi industry.

The final codes of practice will define practices that would be deemed adequate and acceptable by Environment and Labour OH&S Officers. However, the codes are not mandatory and any company is free to develop their own violence prevention plans if they wish.

Simultaneous with the code of practice consultations, the department and the NS Workers’ Compensation Board are putting on free Violence Prevention Planning Workshops. These

workshops are being held throughout the province (see the [full schedule](#))  
See [details](#) on the codes of practice consultations.

[Back to top](#)

### **Nova Scotia, Ontario Issue Warnings About Buying Posters From Third Parties**

The Nova Scotia Department of Environment and Labour, the Ontario Ministry of Labour and the Ontario Workplace Safety Insurance Board have warned employers about salespersons using aggressive tactics to sell labour standards and OH&S posters to business owners. Under the relevant laws, there is certain information that is required to be posted in the workplace.

However, the information is available free of charge from the Government.

See <http://www.gov.ns.ca/news/details.asp?id=20070831002>,

<http://www.labour.gov.on.ca/english/news/2007/07-100b.html> and

[http://www.wsib.on.ca/wsib/wsibobj.nsf/LookupFiles/NewsReleaseNR082107e/\\$File/News082107e.pdf](http://www.wsib.on.ca/wsib/wsibobj.nsf/LookupFiles/NewsReleaseNR082107e/$File/News082107e.pdf).

[Back to top](#)

### **Ontario Mandatory Blood Testing Act, 2006 In Force**

The Ontario government has proclaimed the Mandatory Blood Testing Act, 2006 in force as of August 10, 2007. The will protect emergency workers by:

1. Making it faster to order a blood sample to determine if a person has been exposed to certain communicable diseases
2. Reducing the voluntary compliance period to provide a sample from seven days to two days
3. Reducing the time it takes to obtain a blood sample from more than two months to less than three weeks.

See [details](#).

[Back to top](#)

### **Ontario Buying 55 Million N95 Respirators, Requiring Safety Engineered Needles**

In response to issues like SARS and avian flu, the Ontario government is purchasing 55 million N95 respirators and mandating the use of safety engineered needles or needle-less systems in Ontario hospitals. N95 respirators are designed to provide a higher level of respiratory protection for the wearer when compared to surgical masks. A new regulation under the Occupational Health and Safety Act will make safety engineered needles or needle-less systems mandatory in all hospitals as of September 1, 2008. The government intends to mandate the use of safety engineered needles or needle-less systems in long-term care homes, psychiatric facilities, laboratories and specimen collection centres in 2009 and in other health care workplaces (home care, doctor's offices, ambulances, etc.) in 2010.

See the [press release](#) and the [regulation on needle safety](#).

[Back to top](#)

### **Saskatchewan Strengthens Worker's Rights Against Harassment**

Saskatchewan has proclaimed legislation expanding the definition of harassment under The Occupational Health and Safety Act, effective October 1, 2007. The new definition of harassment includes expanded language to address personal harassment in the workplace, such as abuse of power and bullying. The legislation also allows for the appointment of an independent adjudicator to hear appeals arising from harassment complaints. Implementation will begin with the establishment of a new harassment prevention unit within the OH&S Division of Saskatchewan Labour. The new unit, which is to be fully operational by the spring of 2008, will focus on enforcing the anti-harassment legislation and educating workplaces on the new definition and complaint process. During the initial implementation period the focus will be on education.

See the [press release](#).

[Back to top](#)

### **1000 Workers Evacuated After Fire Breaks Out**

More than a thousand workers from the Suncor oil sands facility near Fort McMurray, Alberta were sent home following an early morning fire on October 2, 2007. The fire started in a drum of the Millennium Coker Unit at 6:05 a.m. and was extinguished at 6:50 a.m. However, due to damage caused by the fire, gas containing 15% hydrogen sulphide (H<sub>2</sub>S) was vented from the drum. Hydrogen sulphide is a poisonous gas common in the oil industry. In response to the venting, Suncor ordered all non-essential personnel evacuated from the area. This involved over 1000 people. One Suncor employee was treated for minor injuries due to the fire.

See [details](#).

[Back to top](#)

### **Hepatitis in Calgary**

The Calgary Health Region has confirmed a case of hepatitis A in a food handler at a local restaurant. The health Authorities say patrons who ate at this restaurant from October 1 to October 23, 2007 inclusive may have been exposed to hepatitis A. The Calgary Health Region operated a hepatitis A vaccination clinic for several days in October.

The authorities say the food handler may have contracted the disease while out of the country.

See [details](#).

[Back to top](#)

### **Transportation Safety Board Concerned About Cannabis Use on BC Ferries**

The Transportation Safety Board of Canada (TSB) issued a Board Concern on October 17, 2007 about cannabis use aboard ferries to BC Ferries as part of the ongoing investigation into the sinking of the Queen of the North on March 22, 2006. The Board Concern was issued after the TSB learned that several crew members of the Queen of the North regularly smoked cannabis between shifts, both on board and off the vessel. The Board stressed that there is no evidence that the crew members on the bridge at the time of the accident were impaired.

The TSB recommended that, without delay, BC Ferries determine whether cannabis is in use by crews of other vessels or whether it was isolated to the Queen of the North. The TSB says it will

monitor the progress made by BC Ferries on the issue and report on it in its final report into the sinking of the Queen of the North.

See [details](#).

[Back to top](#)

### **HRSDC Announces New Ergonomics Provisions**

Human Resources and Social Development Canada has announced proposed amendments to regulations under the Canada Labour Code to prevent occupational injuries due to hazards arising from poor ergonomics in federally regulated workplaces. It is estimated that musculoskeletal injuries constitute about one third of all work-related injuries, and that applies to federally regulated workplaces as well. Amendments are proposed to the Hazard Prevention Program Regulations to modify the requirement for hazard identification and management in order to include hazards related to poor workplace ergonomics. As a result, employers, in consultation with workplace committees, are obliged to identify and assess these particular workplace hazards, implement preventive measures to protect the employees, and educate and train employees in the safe performance of their work. It is anticipated that the proposed amendments will be published in Part II of the Canada Gazette in the fall, at which time they will become effective.

See [details](#).

[Back to top](#)

### **US Court Throws Out Law Allowing Guns in the Workplace**

The U.S. District Court for the Northern District of Oklahoma has ruled that Oklahoma criminal laws making it illegal for employers to prevent workers from keeping firearms in their locked vehicles on company property are preempted by the Occupational Safety and Health Act, a federal court ruled Oct. 4 (ConocoPhillips Co. v. Henry, N.D. Okla., No. 04-CV-820-TCK-SAJ, 10/4/07). Observing that it was “the first to address whether these types of laws stand as an obstacle to the OSH Act,” the court issued a permanent injunction barring the enforcement of the laws against any employer in the state that is subject to the federal OSH Act.

The case started in 2002 when several employees were fired after guns were found in their vehicles in the employer's parking lot. The employer had a “no weapons” policy at the time. The firings prompted the Oklahoma legislature to pass laws making it illegal for a company to ban guns from company parking lots, provided the guns were locked in a vehicle. Companies objected to the law, citing among other things, that many parking lots are inside their security perimeters, and the law thus required them to allow guns inside secure areas.

See [details](#).

[Back to top](#)

### **BLS Reports Workplace Injury and Illness Overall Rate Lowest Ever Recorded**

The rate of workplace injuries and illnesses in private industry declined in 2006 for the fourth consecutive year, the US Labor Department's Bureau of Labor Statistics (BLS) reported.

Approximately 4.1 million injuries and illnesses occurred in 2006. The number translates to a

rate of 4.4 cases per 100 full-time employees, slightly less than the 4.6 rate reported last year. See [details](#).

### **OSHA Takes Action on Butter Flavourings**

To address concerns regarding workplace exposure to diacetyl (a microwave popcorn butter flavouring), OSHA announced it has taken the following three actions:

- (1) Initiated a rulemaking under section 6(b) of the Occupational Safety and Health Act;
- (2) Issued a Safety and Health Information Bulletin; and
- (3) Provided Hazard Communication Guidance.

These actions build upon the National Emphasis Program, announced in April 2007, focussing on health hazards resulting from exposure to diacetyl.

See [details](#).

[Back to top](#)

### **Survey Findings on Slips and Trips Issues**

The British Institution of Occupational Safety and Health and the Health and Safety Executive has published the results of a survey of 1094 IOSH members on the issue of slips and trips.

Major findings include:

1. eight out of 10 respondents feel that their organisations are committed to tackling the issue. However, only 13 per cent consider their organisations to be already fully effective.
2. Just over half the respondents feel they have enough general guidance on the issue of slips and trips, although there still seems to be considerable demand for more technical guidance and benchmarking data.
3. Getting workers involved and changing their behaviour seem to be key issues for members looking to address slips and trips. Only around one in 10 respondents feel that good practice is 'always' implemented and a similar portion feel that workers are fully committed to co-operating in reducing risks.
4. There was no clear consensus on what should be done to help with further improvements in risk control. Indeed, a substantial minority (20 per cent of those who made suggestions) felt that there was already enough information out there, and that it was now up to organisations themselves to implement these recommendations. Most tangible suggestions focused on the continuing need to raise awareness of the issue and for more guidance that is targeted, interactive, simple to use and that provides illustrations of good practice.

See the [full report](#) (35 pages).

[Back to top](#)

### **Trends in Nanotechnology**

The British Health and Safety Executive has published a report on trends in nanotechnology. The report looked at patent activity, current market applications, raw material availability and market projections. Major findings include:

1. interest is perhaps starting to shift from the development of new materials and processes

- more towards the application of the technology to a wide range of products.
2. from March 2006 to May 2007, the number of known nanotechnology products more than doubled, from 212 to 475 and this growth seems set to continue.
  3. around 60% of the products on the market at present are found in the “health and fitness” sector and include e.g. cosmetics, sports goods (golf clubs, racquets etc.), sunscreens and clothing.
  4. There are over 1600 known nanoparticles, nanowires, nanofibres, nanotubes and quantum dots, from around 100 manufacturers worldwide (mostly in the US and Far East).[5] This represents an increase in the number of materials available of around 25% in the past 6 months.

See the [report](#).

[Back to top](#)

### **Global Nanotech Code Up for Consultation**

The British Royal Society, Insight Investment, the Nanotechnology Industries Association and the Nanotechnology Knowledge Transfer Network (an initiative sponsored by the British government's Department of Trade and Industry) have come together to explore the societal and economic impact of the technical, social and commercial uncertainties related to nanotechnologies. As part of that effort, the groups have started a global consultation to create a code that would guide companies developing, manufacturing and selling nanotechnology-engineered products.

See [details](#).

[Back to top](#)

### **British School Proprietor Sentenced in Student's Death**

A British school proprietor has been found guilty of breaching Section 3(1) of the Health and Safety at Work etc Act 1974 by allowing children to play at the school without adequate supervision (According to the British Education Act, 1996: “ “proprietor”, means the person or body of persons responsible for the management of the school”) . James Porter, proprietor of a North Wales school, was fined £12,500 and ordered to pay £7,500 costs (CAN\$25 065 and CAN\$15,046 respectively). He had been found guilty by a jury of breaching Section 3(1) of the Health and Safety at Work etc Act, which says: “It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.”

Three-year-old Kian Williams died just over a month after falling down steps at the school in July 2004. The British Health and Safety Executive's investigation into Kian's death found that on the day of the incident there was one member of staff supervising 59 pupils with an age range of three to eleven. This resulted in Kian being able to enter an area which was off limits. In Britain, the Children Act 1989 Guidance and Regulations Vol. 2 suggests that 2:26 is an appropriate ratio for supervising adults to children.

Mr Porter was prosecuted because, as proprietor for the school, he was also the employer and as

such had primary responsibility for health and safety matters.

See [details](#).

[Back to top](#)

### **British Corporate Manslaughter and Corporate Homicide Act**

Britain passed the Corporate Manslaughter and Corporate Homicide Act on 26 July 2007. The Act introduces a new offence, across the United Kingdom, for prosecuting companies and other organisations where there has been a gross failing, throughout the organisation, in the management of health and safety with fatal consequences. According to the Act:

“An organisation . . . is guilty of an offence if the way in which its activities are managed or organised—

(a) causes a person’s death, and

(b) amounts to a gross breach of a relevant duty of care owed by the organisation to the deceased.”

The Act also abolishes the common law offence of manslaughter by gross negligence in its application to corporations.

The punishment for breaching the Act is a fine of an unspecified amount.

See [details](#).

[Back to top](#)

### **Simplification and Review of European Radiation Protection Directives**

The European Commission intends to update and consolidate a series of radiation Directives, including the Basic Safety Standards, Outside Workers, High Activity Sealed Sources and Public Information Directives. There is no stated completion date.

See [details](#).

[Back to top](#)

### **Swiss Convict 4 Air Controllers over 2002 Jet Crash**

A Swiss Court Pronounced Four Managers at Air Traffic control firm Skyguide guilty of manslaughter on Tuesday over a 2002 mid-air accident that killed 71 passengers, most of them Russian children. On trial were eight Skyguide employees charged with manslaughter for contributing to unusual circumstances that caused the disaster in Swiss-controlled airspace near the southern German town of Ueberlingen. The court sentenced three managers to 12-month suspended sentences and one was fined. The remaining four Skyguide employees on trial were acquitted, the court said. All defendants had denied the charges during the trial.

See [details](#).

[Back to top](#)

### **Grupo Mexico 'Negligent' in Mine Blast**

Grupo Mexico SAB, Mexico's largest mining company, was found “negligent” for not clearing gases and coal dust that led to a mine explosion last year and the deaths of 65 miners, a Mexican congressional report said. Grupo Mexico and the unit that ran the mine bear responsibility for the

blast at the Pasta de Conchos mine on Feb. 19, 2006, a special congressional committee said. Grupo Mexico has denied that the mine's conditions were unsafe.

The committee recommended that officials at Grupo Mexico, the federal and Coahuila state labor ministries be prosecuted for the deaths of the miners. Grupo Mexico should also lose its rights to the Pasta de Conchos mine, the committee said.

See [details](#).

[Back to top](#)

### **Town Removes Traffic Signs to Increase Safety**

The small west German town of Bohmte has removed all traffic signs from their roads (in Germany, there are 1,800 combinations for the country's total of 650 traffic signs). The project is an attempt to wean drivers off the idea of permanent external control and put responsibility for road safety firmly back in the hands of the road user.

The € 2.3 million (CAN\$3.2 million) scheme is being funded by the European Union and is based on the so-called "shared space" traffic management concept proposed by the Dutch expert Hans Monderman. His system is designed to ensure that road users "negotiate" with each other through eye contact or hand signals rather than having it enforced by traffic signals and signs. The scheme is already used elsewhere where accidents and traffic congestion have dropped dramatically since it was introduced. Studies show that the scheme keeps traffic movement fluid. Cars pass through the town twice as fast as before and use less fuel while doing so.

See [details](#).

[Back to top](#)