

“Global Scans” are a free service brought to you by [Global Training Edge](#). Each Scan highlights major or interesting news in occupational health and safety, with a concentration on Canada.

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NS WCB Wins 3 Awards

The Workers' Compensation Board of Nova Scotia (WCB) received 3 communications awards during the annual conference of the American Association of State Compensation and Insurance Funds ([AASCIF](#)).

The WCB's report - entitled [Little Things Matter](#) - was voted the best annual report of 2007.

The WCB received a second place for its efforts to ensure employees had all the information they needed about the WCB's latest advertising campaign before it went public. Third place honours were awarded for the 2008 Day of Mourning campaign.

See [details](#).

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NB Mandates Inquests Into Some Workplace Deaths

[Amendments to the Coroners Act](#) have introduced mandatory inquests into workplace deaths in certain industries. The amendments require a public inquest be held each time “a worker dies as a

result of an accident occurring in the course of his or her employment at or in a woodland operation, sawmill, lumber processing plant, food processing plant, fish processing plant, construction project site, mining plant or mine, including a pit or quarry.”

According to the Government, “Mandatory inquests into high-risk workplace deaths will expose unsafe practices in these industries, as well as systemic problems that contribute to an unsafe work environment. The ability to recognize and act on these issues will result in a safer and more secure New Brunswick.”

See [press release](#).

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New Noise Regulations for PEI

Prince Edward Island will get new noise regulations starting October 1. The new law defines “noise exposure limit” and requires employers to:

- measure the noise exposure of workers in certain situations
- inform workers of the measurements
- where a worker’s noise exposure exceeds a noise exposure limit:
 - reduce noise levels
 - give hearing tests to workers.

It also requires workers to wear hearing protection where the noise exposure exceeds a noise exposure limit.

At the same time, PEI is revising the definition of a “confined space”. The current definition is: “In this Part “confined space” means a place to or from which the means of entry or exit are restricted because of location, design construction, or contents and includes bins, tanks, tankers, tunnels, silos, sewers, vaults, chambers, pipelines, pits, vessels, vats and flues.”

The new definition mirrors the New Brunswick and Nova Scotia definitions by saying:

“In this Part, “confined space” means an enclosed or partially enclosed space

- (a) not designed or intended for human occupancy;
- (b) with restricted access or exit; and
- (c) that is or may become hazardous to a person entering it because of its design, construction, location, atmosphere or the materials or substances in it or other conditions, and includes any bin, tank, tanker, tunnel, silo, sewer, vault, chamber, pipeline, pit, vessel, vat and flue.”

See the [new regulations](#).

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Ontario Nurses Contract Recognizes “Precautionary Principle”

The Ontario Nurses’ Association and the Ontario Hospital Association have reached a [framework agreement](#) that builds in the “precautionary principle” highlighted in the Ontario SARS Report. The agreement includes the traditional general duty clause “The employer shall take every precaution reasonable in the circumstances for the protection of a worker”. However, that is followed up by a new clause based on the precautionary principle that says:

“When faced with occupational health and safety decisions, the Hospital will not await full scientific or absolute certainty before taking reasonable actions(s) that reduces risk and protects nurses.”

In addition, the agreement acts on another SARS Commission recommendation by saying:

“Hospitals will ensure adequate stocks of the N95 respirator (or such other personal protective equipment as the parties may in writing agree) to be made available to nurses at short notice in the event there are reasonable indications of the emergence of a pandemic.”

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Ontario Needle Safety Regulation In Effect; Consultations on Extending Application

The Ontario regulation on [Needle Safety](#) is now in effect. The regulation mandates the use of safety-engineered needles (SENs) or needle-less systems to replace hollow-bore needles. SENs have been designed with built-in safety features that eliminate or minimize the risk of a needle puncture to the user (e.g. hinged needle cap, retractable needle), thereby protecting health care workers from injury and exposure to blood-borne diseases. The regulation applies only to hospitals. To address patient care, availability and other issues, the regulation provides several exceptions to the new requirement. A SEN is not required if:

- A worker determines that the use of a safety-engineered needle would pose a greater risk of harm to themselves, another worker or the patient than would a conventional hollow-bore needle,
- An employer is unable, despite making a reasonable effort, to obtain a SEN that is appropriate for the work,
- An emergency is declared or a situation exists that constitutes or may constitute a serious risk to public health, an employer’s supplies of SENs have been exhausted, and postponing work would create a greater risk of harm than the risk of using a hollow-bore needle that is not a SEN.

In addition, the Ministry of Labour and the Ministry Health and Long-Term Care are jointly [consulting](#) on a proposal to extend the scope of the Needle Safety Regulation. The purpose of the consultation is to:

- Seek input from stakeholders on how to implement the proposed extension of the Needle Safety Regulation to the following workplaces by April 1, 2009:
 - Long-term care homes,
 - Designated psychiatric facilities not captured in the current regulation,
 - Laboratories and specimen collection centres;
- ensure that any changes to the regulation are done in consultation with industry and labour stakeholders.

There is a plan to extend coverage further in 2010 to home care, doctors’ offices and ambulances. However, no consultations have been announced on that plan yet.

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"Zero Tolerance" Enforcement Blitz On Falls At Industrial Workplaces

The Ontario Ministry of Labour stepped up enforcement in selected industrial workplaces in September to reduce slip and fall hazards. Twenty per cent of workplace injuries are caused by slips, trips and falls. Twenty-seven per cent of fatalities reported in industrial workplaces are the result of falls.

The increased enforcement is part of the province’s [Safe At Work Ontario](#) strategy, launched in June 2008. This is the 3rd blitz announced this summer. The other 2 addressed construction and new or young workers.

Industrial inspectors will blitz transportation, warehousing operations, industrial services and wood and metal fabrication workplaces across Ontario. They will check for fall hazards both on surfaces and at heights, including on platforms, scaffolding, raised floors, mezzanines and ladders. Inspectors will take a "zero tolerance" approach to any contraventions found under the Occupational Health and Safety Act and its regulations. However, the Ministry did not define what "zero tolerance" means in terms of consequences to those found to have fall hazards.

See [news release](#).

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Manitoba Expands WCB Coverage

Starting January 1, 2009, the Manitoba WCB will expand its coverage to include about 7,500 more employers and about 30,000 more workers. With this extension of coverage, about 75 per cent of workers in the province will be covered, putting Manitoba ahead of provinces such as Nova Scotia and Ontario, but behind Alberta and Quebec.

The decision to extend coverage was made after the WCB conducted a widespread consultation with stakeholders and forwarded a [report](#) to the Government summarizing submissions made during the consultation period.

See [news release](#).

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Saskatchewan to Require Powered Mobile Equipment Operator Training

New training standards for operators of powered mobile equipment (PME) come into force in Saskatchewan on October 9, 2008. Amendments to section 154 of the Occupational Health and Safety Regulations imposes three principle requirements regarding PME training:

- That training be provided by a competent person
- That the training meets the requirements of Table 14.1
- That a written record of the training is kept readily available.

PME is any self-propelled machine that is designed to manipulate or move materials or provide a work platform for workers.

The Government says that it recognizes it will take time for employers to implement the new training standards. While all PME operators must receive the appropriate training as of October 9, 2008, the Government will allow individual employers additional time to comply if the training process is shown to be underway.

See the [Safety Bulletin](#).

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Alberta Considering Limiting WCB Coverage For Intoxicated Workers

The Alberta WCB is considering limiting workers' compensation coverage for intoxicated workers. Under the current policy, an intoxicated worker would not be covered by WCB benefits and protections from lawsuits if:

- Intoxication, when drinking is not permitted or condoned by the employer and intoxication is the **sole cause** of an accident,
- the worker committed a criminal act **with gainful intent** [emphasis added].

Court rulings based on the current policy show that this standard is so high that it can be impossible

to deny an intoxicated worker benefits.

The WCB is proposing to rewrite the policy to deny WCB coverage and protections if:

- Intoxication, when drinking is not permitted or condoned by the employer and intoxication is a **significant contributing cause** [emphasis added] of an accident
 - It will be necessary to show, on the balance of probabilities, that intoxication was a significant contributing cause of the accident. Workers who were intoxicated at the time of the accident will still be covered by workers' compensation if intoxication was not a significant contributing cause. For example, a driver's intoxication would not be a significant contributing cause if the driver was appropriately stopped at a red light and another vehicle rear-ended the driver.
 - The WCB is also proposing a new rebuttable presumption that workers involved in motor vehicle accidents who are found to have blood alcohol levels of 0.08 or greater are intoxicated. The onus would then be on the worker to provide evidence to establish the contrary.
- The worker committed a criminal act [i.e. removing the "with gainful intent" words].
 - Note that act of driving while impaired or with a blood alcohol level above 0.08 is against section 253 of the Criminal Code (and thus a "criminal act"), regardless of whether an accident results or not.

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CCOHS Introduces On-Line OH&S Management System

The [Canadian Centre for Occupational Health and Safety](#) (CCOHS) has introduced [OSH Works](#).

OSH Works is a web-based occupational health and safety management service that a user customizes to suit their own organization. The service allows one to:

- Upload health and safety policies and procedures, as well as assign and track employee training
- Plan, Do, Check and Act on key workplace health and safety activities and requirements
- Meet the requirements of OH&S Management System standards such as CSA Z1000-06 and OHSAS 18001
- Perform audits and access user-friendly guidance to help your organization improve workplace health and safety performance
- Access hazard awareness tools, reports for incidents and audits, sample emergency response plans and other programs
- Integrate the materials into your organization's e-mail software and intranet to simplify reminders and new task notification.

See [product details](#).

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US Occupational Death Rate at Lowest Level Ever

Preliminary figures show that a total of 5,488 fatal work injuries were recorded in the United States in 2007, a decrease of 6 percent from the revised total of 5,840 fatal work injuries reported for 2006. The 2007 figure represents the smallest annual total since the data was first collected in 1992. Final results for 2007 will be released in April 2009.

Based on these preliminary counts, the rate of fatal injury for U.S. workers in 2007 was 3.7 fatal

work injuries per 100,000 workers, down from the final rate of 4.0 per 100,000 workers in 2006, and the lowest annual fatality rate ever reported.

Key findings of the 2007 Census of Fatal Occupational Injuries:

- While the overall death rate dropped, the number of fatal falls in 2007 rose to an all-time high of 835 - a 39 percent increase since 1992. The increase was driven primarily by increases in falls on same level (up 21 percent from 2006) and falls from non-moving vehicles (up 17 percent). Falls from roofs were down 13 percent from the number in 2006
- Transportation incidents, which typically account for two-fifths of all workplace fatalities, fell to an all-time low of 2,234 cases in 2007
- Workplace homicides rose 13 percent to 610 in 2007 after reaching an all-time low of 540 in 2006. Fatalities among workers employed in protective service occupations rose 19 percent from 2006 to 2007, including police officers (up 30 percent), fire fighters (up 17 percent), and security guards (up 11 percent)
- Fatal occupational injuries incurred by non-Hispanic Black or African American workers were at the highest level since 1999, but fatal work injuries among Hispanic workers were lower by 8 percent in 2007. 17% of the fatalities were incurred by workers who were born outside of the United States
- Fatalities declined in the construction industry, but construction continued to incur the most fatalities of any industry in the private sector. Of the three major subsectors within construction, fatalities among workers in construction of buildings actually rose 11 percent from 2006, with most of the increase in non-residential construction industries. The largest construction subsector, specialty trade contractors, had 6 percent fewer fatalities in 2007 as compared to 2006
- While fatalities incurred by workers age 65 and older decreased 7 percent, these workers were about 3 times more likely than all workers to be killed on the job (9.93 deaths per 100,000 workers).

See [details](#).

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Company President Sentenced to 6 Months in Prison for Environmental Offences

Spencer Environmental Incorporated (SEI) and its president, Donald M. Spencer, were sentenced June 5, 2008. SEI and Spencer admitted to three felony violations of hazardous waste laws of the Resource Conservation and Recovery Act (RCRA). The court sentenced Spencer to 6 months in a federal penitentiary and 1 year of supervised release; SEI was ordered to pay US\$150,000 (of this amount, \$75,000 will fund various environmental projects in Oregon).

SEI employees repeatedly violated the RCRA standards for handling used oil by routinely spilling used oil, overfilling a waste pit used for oily waste, and failing to properly clean up spills when they occurred. This resulted in the release of used oil, including at least one spill that spread to a storage facility occupied by an appliance retail company next door to the plant. As president, Spencer had the authority to exercise control over every aspect of the handling of waste and used oil at SEI's Foster Road plant.

Environmental and occupational health and safety offences are sometimes seen as similar areas of law.

See [Press release](#).

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New Pile Installation Standard

A new standard on pile installation - [ANSI/ASSE A10.19-2008: “Safety Requirements for Pile Installation and Extraction Operations”](#) - has been created. The standard is meant to prevent injuries and illness among construction workers exposed to hazards associated with the installation and extraction of piles during construction and demolition operations.

According to the standard, a pile refers to a concrete, steel or wood column, which is driven or otherwise introduced into the soil, usually to carry a vertical load or to provide lateral support. The standard does not apply to structural steel erection covered in the ANSI/ASSE A10.13 or ANSI/ASSE A10.16 standards.

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New Standard on Working in Cold Environments

The International Organization for Standardization has produced [ISO 15743:2008: “Ergonomics of the thermal environment -- Cold workplaces -- Risk assessment and management”](#). The standard presents a strategy and practical tools for assessing and managing cold risk in the workplace, and includes:

- models and methods for cold risk assessment and management,
- a checklist for identifying cold-related problems at work,
- a model, method and questionnaire intended for use by occupational health care professionals in identifying those individuals with symptoms that increase their cold sensitivity and, with the aid of such identification, offering optimal guidance and instructions for individual cold protection,
- guidelines on how to apply thermal standards and other validated scientific methods when assessing cold-related risks,
- a practical example from cold work.

It is applicable to both indoor and outdoor work situations — indoor work includes work done inside vehicles, outdoor work both inland and offshore work — but is not applicable to diving situations or other types of work performed underwater.

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ArcelorMittal and Unions Sign Global H&S Deal

The world’s largest steel company, ArcelorMittal, and trade unions representing its employees around the world signed a new agreement to further improve health and standards throughout the company. The agreement, the first of its kind in the steel industry:

- sets out minimum standards in every site the company operates in order to achieve world class performance. These standards include the commitment to form joint management/ union health and safety committees as well as training and education programs
- creates a joint management/union global health and safety committee that will target plants in the group in order to help them to further improve their health and safety performance.

The agreement was signed on June 3, 2008 by ArcelorMittal, the European Metalworkers’ Federation, the United Steelworkers and the International Metalworkers’ Federation.

ArcelorMittal is the world's largest and most global steel company, with 310,000 employees in more

than 60 countries.

See [press release](#).

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HSE Tries to Dispel Myths over Protective Gloves

The British [Health and Safety Executive](#) (HSE), in cooperation with 4 borough councils, conducted an experiment to assess the reaction of hairdressers to protective gloves. While hairdressers know about the causes of dermatitis, many say that finding suitable disposable gloves to protect their hands can be a problem.

The glove trial was done to find out if there are types of disposable gloves that can tackle some of these problems. The trial consisted of asking 63 hairdressing staff (at 15 salons) to test disposable nitrile and vinyl gloves and to tell researchers what they thought about them. Hairdressers reported what they thought of using disposable gloves before and after trying them for various tasks such as washing, colouring and perming. The results were:

	Percentage Agreeing	
	Before the trial	After the trial
Gloves snag on the clients hair	60	20
Gloves make it difficult to sense water temperature	80	60
Gloves break easily	30	5
Gloves are comfortable to wear	50	80

See [details](#).

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HSE Pilots Mobile Phone Text Alerts

The British [Health and Safety Executive](#) (HSE) is piloting a new service to send mobile phone text alerts to clients who subscribe. Subscribers will receive a short text message summarising what's new or updated along with a hyperlink to the HSE website for more information. If they can access the Internet from their mobile phone, they may be able to select the link to visit the HSE website directly. Alternatively they can copy the link into an Internet browser on a computer or other device to find out more. The service is free.

See [here](#) for more information or to sign up (even from North America).

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Two Mining Inspectors for All of Tasmania Before Fatal Accident

An inquest has been told that under-resourcing of Tasmania's mine safety inspectorate was a factor in the 2006 accident at the Beaconsfield gold mine that killed 1 miner and trapped 2 others underground for 2 weeks. The inquest into the rockfall heard that the number of mine safety inspectors in Tasmania had been cut from 10 in 1994 to 2 in the months before the accident. At the time of the accident, one - who also had management responsibilities - was busy assisting coronial investigations into an earlier mining incident. The other was "chained to [his] desk constantly and not in the field". The General Manager of Tasmania's workplace inspectors told the inquest the state's two mine inspectors were over stretched at the time of the 2006 rockfall. An official report into the accident led by Greg Melick SC concluded this under-resourcing was "one of" the contributing factors to the tragedy."

The resource issue had been raised within Tasmania's mining safety inspectorate, where staff warned that the body was so under-resourced that “it is only a matter of time before another catastrophic event will occur.”

See news stories at <http://www.theaustralian.news.com.au/story/0,25197,24199215-2702,00.html> and <http://www.theaustralian.news.com.au/story/0,25197,24203781-5006788,00.html>.

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