

**Advisory Council on
Occupational Health and
Safety**

**Annual Activity Report
2012-13**

For More information:

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PAPER

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REFERENCE PERIOD

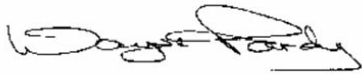
This report covers the period April 1, 2012 through March 31, 2013,
the fiscal year of the Advisory Council on Occupational Health and Safety.

Chairperson's Message:

As Chair of the Advisory Council on Occupational Health and Safety I am pleased to submit the Annual Activity Report for the activities of the Advisory Council for 2012-13. This report is prepared in compliance with the *Transparency and Accountability Act* which categorizes the Advisory Council as a category three entity and requires the Council to prepare an annual report. The Council is accountable for the preparation of this report and for the results reported.

On behalf of the members of Council, I would like to re-affirm our commitment to working closely with all stakeholders in order to provide strategic advice to the Minister of Service NL in helping create safe and healthy workplaces throughout the Province.

Yours truly,

A handwritten signature in black ink, appearing to read "Wayne Pardy", with a stylized, cursive script.

Wayne Pardy

Government Entity Overview

Mandate

The Advisory Council on Occupational Health and Safety is established pursuant to section 12 of the *Occupational Health and Safety Act*. The duties and responsibilities of the Council are established pursuant to section 17 of the Act. They include providing advice to the Minister: on the administration of the Act and the regulations; on occupational health and safety; and any matter relating to occupational health and safety that the Minister has referred to the Council for its advice.

Representation

The Advisory Council has 11 members, including Chairperson, Vice-Chairperson, two ex-officio positions, secretary, and the remaining membership consisting of equal representation from labour and management. Members are appointed for terms not exceeding three years, and are eligible for reappointment for not more than two consecutive terms.

Physical Location or Representation:

Member	Representation
Mr. Wayne Pardy	Chairperson
Vacant	Vice-Chairperson
Ms. Goldie Porter	Labour Representative
Mr. Mike Power	Labour Representative
Mr. Jerome O’Keefe	Labour Representative
Mr. Bob Pike	Management Representative
Ms. Sue Anne Thistle	Management Representative
Mr. Woodrow French	Management Representative
Mrs. Leslie Galway	Ex-Officio – Chief Executive Officer, Workplace Health, Safety and Compensation Commission (WHSCC)
Ms. Kim Dunphy	Ex-Officio –Assistant Deputy Minister, Occupational Health and Safety (OHS), Service NL
Ms. Heather Clarke	Secretary, Manager, Occupational Health and Safety Division (OHS), Service NL

Revenues and Expenditures

The Advisory Council on Occupational Health and Safety is funded through the Occupational Health and Safety Branch of Service NL. The Branch operates on a maximum 5% of the annual assessment revenue paid to the Workplace Health, Safety and Compensation Commission. Approximately \$25,000 is budgeted for the operation of Council on a yearly basis, which would include reimbursement as per Treasury Board Guidelines for Boards, Commissions and Agencies.

Vision

The Vision of Council is: People in Newfoundland and Labrador living and working in healthy and safe environments with access to efficient and responsive programs and services.

Mission

The primary mission of Service NL is to have enhanced program and service delivery through improved standards and regulatory processes that promote living and working in a healthy, fair and safe environment. The Advisory Council on Occupational Health and Safety contributes to the department's mission by providing advice on improving health and safety in the province's workplaces. For more information, see the department's 2011-14 Strategic Plan available online at <http://www.servicenl.gov.nl.ca/publications/>.

Primary Clients

The Advisory Council on Occupational Health and Safety is focused on improving the health and safety of all workers and workplaces in this Province. The clients of the Advisory Council on Occupational Health and Safety include: employers, employees, the Occupational Health and Safety (OHS) Branch of Service NL, the Workplace Health, Safety and Compensation Commission (WHSCC) and the public at large.

Values

The Advisory Council on Occupational Health and Safety is focused on improving the health and safety of all workers and workplaces in this province. In achieving its vision, Council has chosen to adopt the values of Service NL and will communicate these values to its stakeholders through the following action statements:

Integrity: Each individual engages in ethical behaviour and exercises the proper use of authority and responsibility.

Collaboration: Each individual supports others through communication and consultation with coworkers, industry partners and the public.

Accountability: Each individual accepts responsibility for their actions and is responsive to meeting public needs and delivering on Departmental commitments in a timely, efficient and satisfactory manner.

Respect: Each individual accepts differences, embraces diversity and exercises a caring attitude in their encounters with others.

Excellence: Each individual demonstrates excellence in providing service to the public.

Highlights and Accomplishments

For the fiscal year 2012-13, the Advisory Council discussed and focused on the following key areas:

- The Advisory Council held discussions on key OHS enforcement strategies and their outcomes. One of the enforcement strategies that was the focus of discussion involves the mega construction projects in NL and the Division's approach to engaging senior officials responsible for these projects early on to clarify the expectations of the regulator on how safety is managed on these large construction sites. These meetings also provided Council with insight into the increased demand that these large construction projects have on the OHS Division and how the Division continues to effectively manage its resources.
- WHSCC Initiatives such as the prevention strategy, youth strategy, occupational disease strategy, training standards, and sector councils were also discussed at council meetings. This ensures council is informed and has the opportunity to provide input on both the prevention and enforcement aspects of occupational health and safety in the province.
- This Advisory Council has been kept informed of the progress of the Lab West medical audit from very early in the process. In February 2013, Morneau Shepell, a leading provider of integrated health solutions, was awarded the contract to conduct the medical audit representing a sample of current and former mine workers in Labrador West. The audit is part of the Provincial Government's efforts to reduce the risk of silicosis, a lung disease which results from exposure to silica dust.

Outcome of Objectives:

Goal:

Service NL is committed to strengthening the foundation of consumer, worker, public and environmental protection through the continual improvement of its legislative and regulatory framework. The Department is focused on ensuring that relevant, meaningful, and necessary standards and enforcement practices are established and maintained. The Advisory Council on Occupational Health and Safety is dedicated to making reviews, recommendations, and improvements as it pertains to occupational health and safety issues and legislation, to ensure that the legislative and regulatory framework remains relevant and appropriate.

By March 31, 2014, the Advisory Council on Occupational Health and Safety will have advised the Minister of Government Services (now Service NL) regarding its recommendations on occupational health and safety issues and legislation.

Objective for previous reporting year:

Objective 1: By 2012, the Advisory Council will have advised the Minister of Government Services (now Service NL) on the draft Mines Safety of Worker's Regulations.

Measure: Advised the Minister on draft Mines Safety of Worker's Regulations.

Indicators:

- Proposed Mines Safety of Worker's Regulations reviewed.
- Review stakeholder feedback.
- Recommendations formulated.
- Recommendations submitted to the Minister.

The following represents the outcome of objectives for the Council's activities in the previous fiscal year, as set out in the 2011-14 Activity Plan.

Results Achieved:

During the 2011-12 reporting period, the major accomplishment of the Council was the review of the proposed amendments to the OHS Regulations as it relates to health and safety requirements in the mining sector. Council was kept informed of stakeholder feedback during the consultation process, and recommended, to the Minister, approval of the proposed amendments formulated by the Occupational Health and Safety (OHS) Division in consultation with the Department of Justice. The Council submitted a letter to the Minister expressing support for the proposed amendments and recommended they be incorporated into the OHS Regulations.

Objective for current reporting year:

Objective 2: By 2013, the Advisory Council will stay abreast of large construction projects and the implications of same for enforcement, prevention and resources and submit its recommendations to the Minister.

Measure: Mechanisms to inform Minister.

Indicators:

- Meet and discuss issues a minimum of three times a year.
- Communicate with the Department of Government Services (now Service NL) and the Workplace Health, Safety and Compensation Commission (WHSCC).

- Stay abreast of trends, analysis and issues pertaining to occupational health and safety.

The following represents the outcome of objectives for the Council's activities in this fiscal year, as set out in the 2011-14 Activity Plan.

Results Achieved:

During the 2012-13 reporting year, Council was successful in meeting two times; however, due to scheduling issues, it was not possible to arrange the third meeting. The two times that Council did meet, provided members the opportunity to dialogue with both Service NL (OHS Division) and the Workplace Health, Safety and Compensation Commission (WHSCC).

These discussions focused on new activities and issues with respect to OHS enforcement including items such as the prioritization inspection program, enforcement statistics, trends and analysis and the mega construction projects. These meetings also provided Council with the opportunity to communicate with WHSCC and to discuss prevention initiatives such as the Strategy for the Prevention of Known Occupational Diseases, Engagement to Action: Prevention Strategy for Newfoundland and Labrador, Strategic Plan for Young Workers 2010 - 2013, sector safety councils and training standards.

During the 2012-13 reporting period a major accomplishment of the Council was an appreciation for the implications on both enforcement (OHS) and prevention (WHSCC) resources arising from these large construction projects. Service NL provided Council with insight into steps taken by the OHS Division to clarify expectations concerning the management of safety on these projects as well as steps taken to ensure and appropriate level of OHS enforcement presence on these sites.

Objective for next reporting year:

Objective 3: By 2014, the Advisory Council will have reviewed the proposed revised *Radiation Health and Safety Act* and regulations, once it has been prepared by the Department of Government Services (now Service NL).

Measure: Modernized radiation legislation.

Indicators:

- Proposed radiation legislation reviewed.
- Review stakeholder feedback.
- Recommendations formulated.
- Recommendations submitted to the Minister

Opportunities and Challenges Ahead

- Finalizing Process Safety Management Code of Practice will provide the opportunity for safer work processes in the Petroleum Sector. The Advisory Council will continue to stay abreast of this once it has been finalized and through to implementation.
- The Lab West Medical Audit will continue to be one of the topics for discussion by Council. The findings of this audit will be of use for all mining properties in the province and will have an overall effect of improving the quality of life and providing protection for workers in the mining industry. Information derived from the medical x-ray audit will enhance awareness and education for workers and medical professionals responsible for assessing and treating workers with occupational disease.
- Council will continue to provide timely feedback to Minister on current occupational health and safety regulatory concerns, to ensure that the legislative and regulatory framework remains relevant and appropriate.
- Atlantic Accord amendments and the incorporation of an offshore Occupational Health and Safety Regime will remain a key item of interest for Council. This will have a significant impact on the OHS Branch as it assumes its new oversight role in respect of offshore OHS once the new regime takes effect.
- The successful management of safety on the many large construction projects that have begun or about to begin in this province will present many opportunities as well as challenges to the province. This will continue to be one of the key focus areas for the Advisory Council.
- The Council will continue to need to remain informed and be provided with opportunities for input on activities and initiatives ongoing at the OHS Division and WHSCC.