



Advisory Council on Occupational Health and Safety

**Annual Activity Report
2018-19**

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REFERENCE PERIOD

This report covers the period April 1, 2018 through March 31, 2019,
the fiscal year of the Advisory Council on Occupational Health and Safety.

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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 2018-19. 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 Advisory Council to prepare an annual report. The Advisory Council is accountable for the preparation of this report and for the results reported.

On behalf of the members of the Advisory 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,



Travis White

Overview

Mandate

The Advisory Council on Occupational Health and Safety is established pursuant to section 12 of the **Occupational Health and Safety Act** (the Act). The duties and responsibilities of the Advisory 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 on 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.

Member	Representation
Mr. Travis White	Chairperson
Ms. Yvette Coffey	Vice-Chairperson
Mr. Robert Richards	Labour Representative
Ms. Kristy Reid	Labour Representative
Ms. Mary Kathleen King	Labour Representative
Mr. Derrick House	Management Representative
Ms. Lana Marie Collins	Management Representative
Ms. Cathy Ivany	Management Representative
Mr. Dennis Hogan	Ex-Officio – Chief Executive Officer, WorkplaceNL
Mr. Alan Doody	Ex-Officio –Assistant Deputy Minister, Occupational Health and Safety (OHS), Service NL
Ms. Heather Taylor	Secretary, Manager, Occupational Health and Safety Division (OHS), Service NL

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 are: employers, employees, the Occupational Health and Safety (OHS) Division of Service NL, WorkplaceNL, and the public at large.

Revenues and Expenditures

The Advisory Council on Occupational Health and Safety is funded through the Occupational Health and Safety Division of Service NL. The Division operates on a maximum five percent of the annual assessment revenue paid to WorkplaceNL. 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. Financial statements are not required.

Highlights and Partnerships

For the fiscal year 2018-19, the Advisory Council discussed and focused on the following areas:

- The issue around worker-on-worker violence and workplace harassment was referred to the Advisory Council for review. Due, in part, to the work of Advisory Council, Service NL was successful in gazetting amendments to the OHS Regulations on January 15, 2019, with a come into force date of January 1, 2020.
- The status of the review of the Radiation Health and Safety Legislation and stakeholder feedback.
- The advancement of the harmonization of health and safety requirements across the country, and the position of Newfoundland and Labrador therein.
- WorkplaceNL initiatives, such as the certification training standards and the volunteer supervisor training standard.
- The status of the 2018-22 Prevention Strategy, and some of the key focus areas, including workplace violence and construction zone safety.
- The issue of powerline contacts and work being done by the Contacts Prevention Working Group.

Goal

The Advisory Council performs two functions - advising the Minister on the administration of the Act and associated regulations, and making recommendations to the Minister on issues that are raised by stakeholders in relation to OHS.

By March 31, 2020, the Occupational Health and Safety Advisory Council will have advised the Minister of Service NL regarding its recommendations on occupational health and safety issues and legislation.

Indicators:

- Recommendations made regarding various initiatives undertaken by Service NL and WorkplaceNL.
- The Minister is advised on the Advisory Council's recommendation on the implementation of the Workplace Hazardous Materials Information System Regulations (WHMIS).
- The Minister is advised on the Advisory Council's recommendations on the review of the Radiation Health and Safety Act and Regulations.

Objective for current reporting year:

Objective 2: By 2019, the Advisory Council will have reviewed the implementation of the 2015 Workplace Hazardous Materials Information System (WHMIS) Regulations and advised the Minister of Service NL.

Indicators:

- Amendments to the WHMIS regulations implemented.
- Review of the implementation of 2015 WHMIS.
- Advise the Minister on the Advisory Council's recommendations on the implementation of the 2015 WHMIS.

The following represents the outcome of objectives for the Advisory Council's activities in the 2018-19 fiscal year, as set out in the 2017-20 Activity Plan.

Results Achieved:

During the 2018-19 reporting period, the Advisory Council met on five separate occasions (quorum was not present in two of these). All members of the Advisory Council were newly appointed, so the first meeting also included an orientation of the Department, the OHS Division, WorkplaceNL, and the role of the Occupational Health and Safety Advisory Council.

The Workplace Hazardous Materials Information System (WHMIS) Regulations came into force July 2018, and included transitional regulations to allow full implementation effective November 30, 2018. The transitional regulations were provided to allow suppliers and employers the necessary time to comply with 2015 WHMIS. WHMIS regulations are applicable to many operations including seasonal operations, therefore a one year period from the date of full implementation, is essential to provide an adequate period to evaluate the implementation. The review of the implementation is ongoing.

At the direction of the Minister of Service NL, the issue around worker-on-worker violence and workplace harassment was referred to the OHS Advisory Council for review. The meetings focused on providing advice on regulatory requirements for worker-on-worker violence and workplace harassment. Service NL continued to provide updates and information on the progress of the draft amendments as it advanced forward. Service NL was successful in having these amendments gazetted on January 15, 2019, with an effective date of January 1, 2020.

Also during this reporting period, the review of the Radiation Health and Safety Legislation had commenced. Members were provided with status updates on this review, as well as feedback provided by key stakeholders on the topic. During the same period, the advancement of harmonization of occupational health and safety requirements had begun. This was another important topic in which Council had engaged in discussions with Service NL and WorkplaceNL.

Objective for upcoming reporting year:

Objective 3: By 2020, the Advisory Council will have advised the Minister of Service NL on the review of the **Radiation Health and Safety Act** and Regulations.

Indicators:

- Proposed amendments to the **Radiation Health and Safety Act** and Regulations reviewed.
- Review stakeholder feedback.
- Recommendations formulated.
- Recommendations submitted to the Minister.

Opportunities and Challenges

- The Advisory Council will continue to focus on occupational health and safety issues within the workplaces of Newfoundland and Labrador and have opportunities to provide advice to the Minister on occupational health and safety regulatory and prevention issues. This will ensure that the legislative and regulatory framework remains relevant and appropriate.
- 2015 WHMIS came into force in July 2018, and the Advisory Council will be engaged in its implementation and with any challenges that it may present for stakeholders.
- The Advisory Council will stay abreast of the implementation and challenges presented with regards to the enforcement of the new provisions around worker-on-worker violence and workplace harassment.
- The Advisory Council will also be engaged in the consultation process and review of radiation legislation and any challenges that this process may present as it moves forward.

- The harmonization of occupational health and safety requirements will provide opportunities and challenges, as the province advances forward on this issue.
- The Advisory Council will continue to remain informed and be provided with opportunities for input on activities and initiatives ongoing at the OHS Division and at WorkplaceNL, especially with regards to the supervisor training and other proposed changes to certification training standards.