

**CUMBERLAND**  
RESOURCES LTD.

**MEADOWBANK GOLD PROJECT**

**OCCUPATIONAL HEALTH & SAFETY PLAN**

**JANUARY 2005**

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B	Health & Safety Program Audit, Workers' Compensation Board, Northwest Territories & Nunavut
C	Safety Legislation for Employers & Employees, Workers' Compensation Board, Northwest Territories & Nunavut

## **DESCRIPTION OF SUPPORTING DOCUMENTATION**

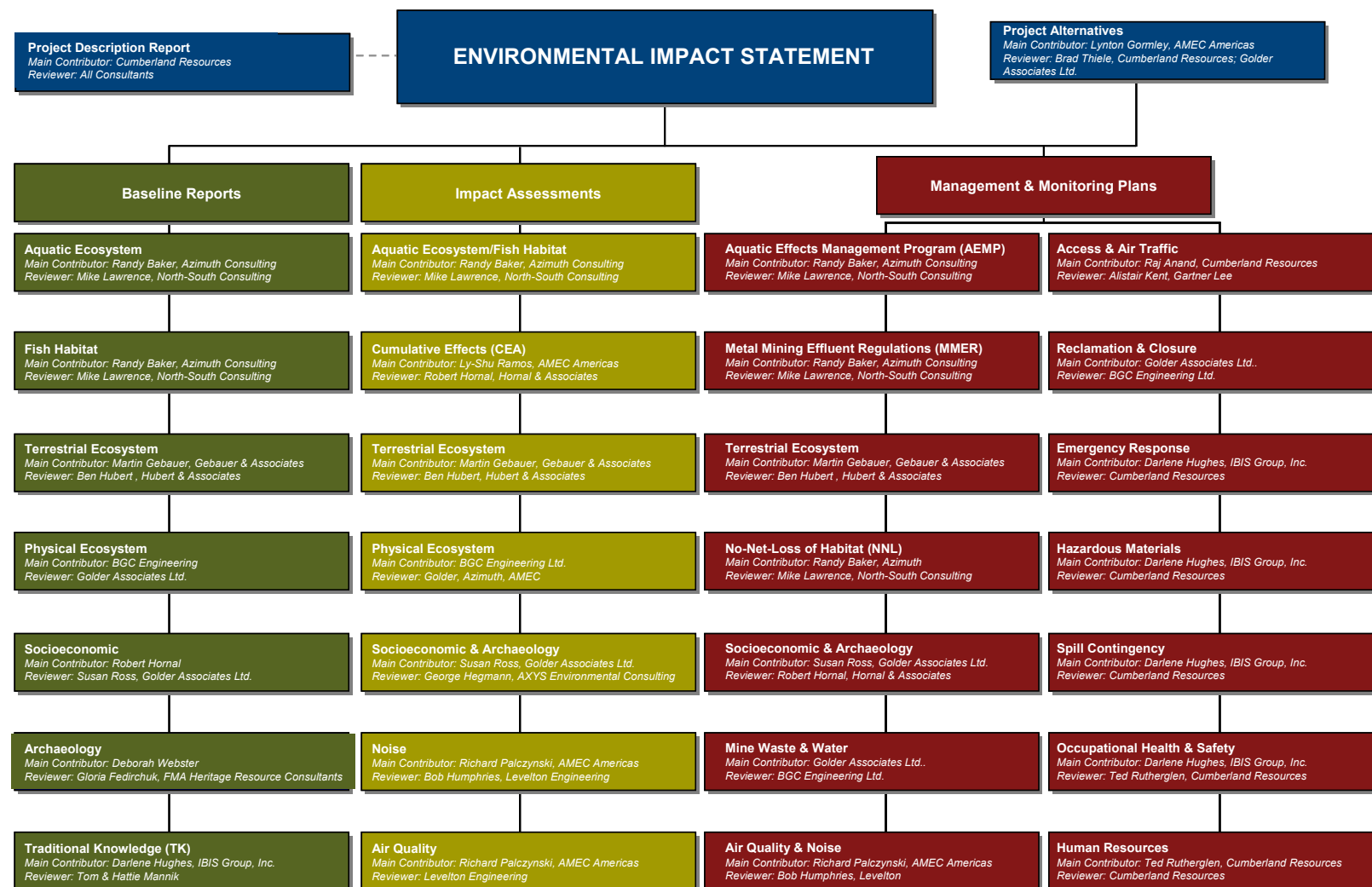
Cumberland Resources Ltd. (Cumberland) is proposing to develop a mine on the Meadowbank property. The property is located in the Kivalliq region approximately 70 km north of the Hamlet of Baker Lake on Inuit-owned surface lands. Cumberland has been actively exploring the Meadowbank area since 1995. Engineering, environmental baseline studies, and community consultations have paralleled these exploration programs and have been integrated to form the basis of current project design.

The Meadowbank project is subject to the environmental review and related licensing and permitting processes established by Part 5 of the Nunavut Land Claims Agreement. To complete an environmental impact assessment (EIA) for the Meadowbank Gold project, Cumberland followed the steps listed below:

1. Determined the VECs (air quality, noise, water quality, surface water quantity and distribution, permafrost, fish populations, fish habitat, ungulates, predatory mammals, small mammals, raptors, waterbirds, and other breeding birds) and VSECs (employment, training and business opportunities; traditional ways of life; individual and community wellness; infrastructure and social services; and sites of heritage significance ) based on discussions with stakeholders, public meetings, traditional knowledge, and the experience of other mines in the north.
2. Conducted baseline studies for each VEC and compared / contrasted the results with the information gained through traditional knowledge studies (see Column 1 on the following page for a list of baseline reports).
3. Used the baseline and traditional knowledge studies to determine the key potential project interactions and impacts for each VEC (see Column 2 for a list of EIA reports).
4. Developed preliminary mitigation strategies for key potential interactions and proposed contingency plans to mitigate unforeseen impacts by applying the precautionary principle (see Column 3 for a list of management plans).
5. Developed long-term monitoring programs to identify residual effects and areas in which mitigation measures are non-compliant and require further refinement. These mitigation and monitoring procedures will be integrated into all stages of project development and will assist in identifying how natural changes in the environment can be distinguished from project-related impacts (monitoring plans are also included in Column 3).
6. Produce and submit an EIS report to NIRB.

As shown on the following page, this report is part of a documentation series that has been produced during this six-stage EIA process

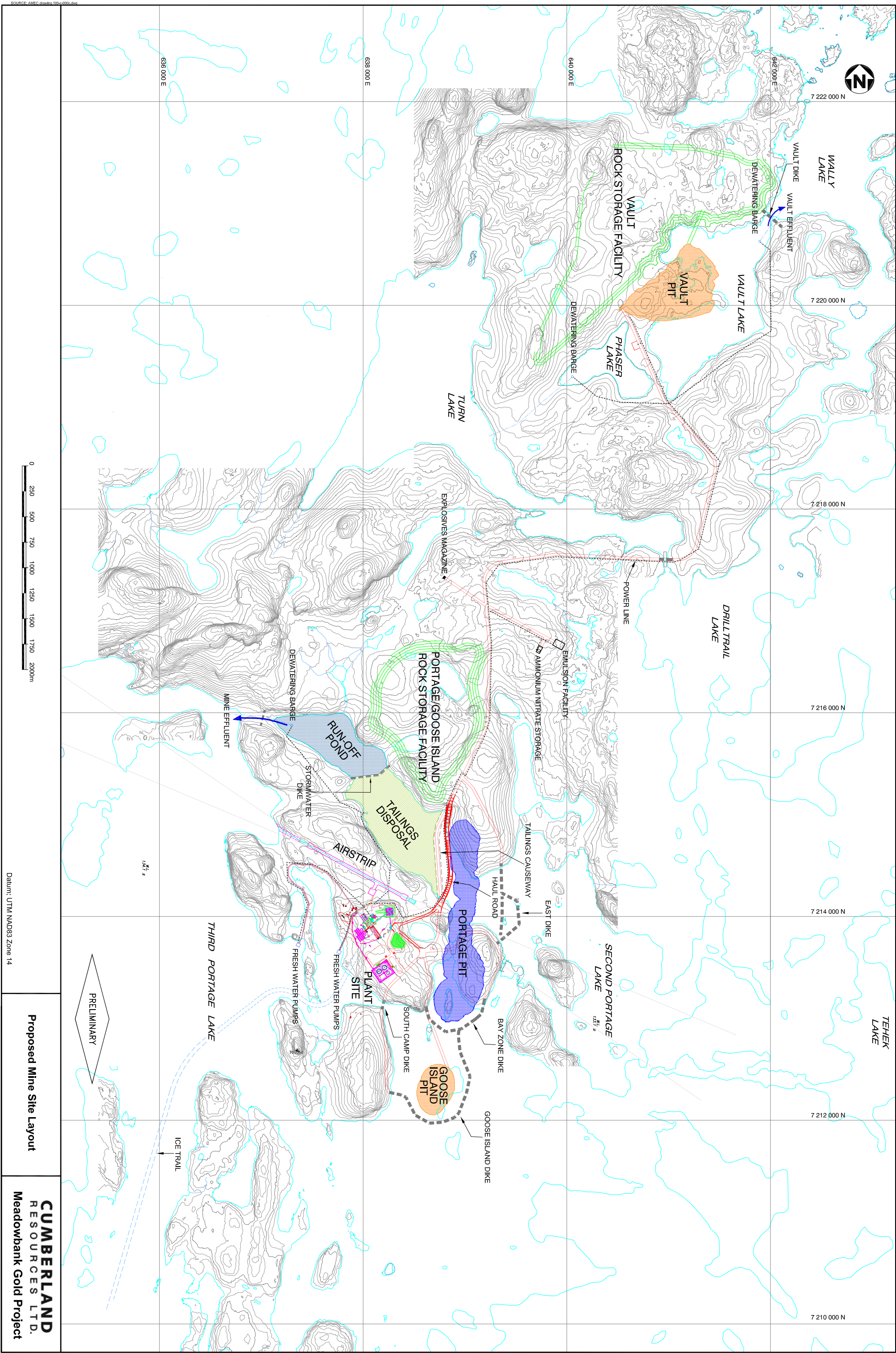
## EIA Documentation Organization Chart



**PROJECT LOCATION MAP**







## SECTION 1 • INTRODUCTION

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### 1.1 SCOPE OF THE OCCUPATIONAL HEALTH & SAFETY PLAN

This plan has been prepared by Cumberland Resources Ltd. (Cumberland) to address the requirements under the *Northwest Territories Mine Health and Safety Act* and the regulations and the Canadian Labour Code for an Occupational Health and Safety Plan (OHSP) for the Meadowbank Gold project. This same legislation applies to mining developments in Nunavut. The OHSP covers gold mining, processing, and related activities at the Meadowbank site. Since the deposit will be mined by a contract mining company, the contractor will be responsible for its own OHSP. Cumberland will ensure that the mining contractor's OHSP meets both the legislative requirements and Cumberland's standards before any work commences at the Meadowbank site.

Guiding the development of this document has been the principle that an effective and high-quality OHSP must provide:

- a clear chain of command for safety and health activities
- accountability for safety and health performance
- well-defined corporate expectations regarding safety and health
- well-defined task and operational hazards/risks
- comprehensive hazard prevention and control methods
- recordkeeping requirements to track program progress.

This OHSP is conceptual in nature and will be finalized prior to construction of the mine. Cumberland has also developed a draft "Emergency Response Plan," "Spill Contingency Plan," and "Hazardous Materials Management Plan." These plans are reported separately.

### 1.2 CUMBERLAND'S POLICY STATEMENT

The following letter, which will be dated, will be provided to all employees at the Meadowbank Gold project.

To all employees:

Cumberland believes that a healthy workplace is a fundamental right of our employees. We are committed to protecting the health and safety of our workers and to meeting and, when possible, surpassing legislated occupational health and safety standards. Health and safety considerations will be paramount in all aspects of the Meadowbank Gold project, from design through construction, commissioning, start-up, and operations. Management is committed to providing all resources necessary to prevent injuries and to maintain a healthy work environment. Our goal is an injury-free workplace for all of our employees. In implementing this **OHS** policy, we will set measurable performance targets and report our progress on a regular basis.



To this end:

- All relevant laws and regulations are incorporated in Cumberland's OHS programs as minimum standards.
- Senior management is responsible for making funds and other resources available to ensure the successful implementation of the OHSP and for hiring and training qualified personnel for all activities at the Meadowbank Gold project.
- All supervisors are responsible for ensuring that their employees are trained in approved work procedures to obtain optimal output without accidents and injuries, and that employees follow safe work methods and all related regulations.
- All employees are required to fully support the OHS programs, to make health and safety a part of their daily routine, and to ensure they are following safe work methods and relevant regulations. At the Meadowbank Gold project, mine safety will be everybody's business.
- Employee responsibility extends to fitness for duty. There will be zero tolerance for individuals who are unfit for duty in the workplace, whatever the reason.
- A Health and Safety Committee (HSC), co-chaired by management and employee representatives and composed of salaried and hourly employees, will be established when mining commences at Meadowbank.
- The OHSP will be reviewed annually, or more frequently as required, to evaluate its effectiveness and to ensure continual improvement in the plan. All employees are encouraged to offer suggestions for ways to eliminate potential hazards and improve work procedures.
- Through effective communication with all employees and recognition of good performance, we aim to foster individual commitment to safety and responsible attitudes, behaviour, and practices in the workplace.

### **1.3 POLICY WITH RESPECT TO CONTRACTORS & VISITORS**

Every person working at or visiting the Meadowbank Gold project site will be required to follow Cumberland's OHS policy and procedures.

A pre-hire assessment will be made of all contractors and subcontractors based on hurdles that eliminate companies with a poor safety record and give preference to the selection of "best-in-class" companies based on their safety performance.

Major contractors, such as those for mining and hauling, will be required to have their own health and safety plans that meet legislative standards as set out in the *NWT Mine Health and Safety Act* and the regulations and the Canadian Labour Code. This will be verified by Cumberland management prior to final engagement of the contractor.

The employees of smaller contractors or subcontractors will be given site and safety orientations before commencing work at the site for the first time. These orientations will be mandatory and will be facilitated by the Safety Coordinator.

At a minimum, all non-mine personnel will be signed in to the site, given a badge, and provided with personal protective equipment appropriate to the area in which they will be working or visiting. Visitors to site will generally be escorted by a designated Cumberland employee at all times. Visitors will be specifically warned about necessary precautions with respect to any current blasting operations and the need to obey the instructions of mine personnel at all times.

## SECTION 2 • INDIVIDUAL OHS RESPONSIBILITY

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Cumberland is accountable for overall compliance with health and safety legislation and for providing a safe and healthy work environment at the Meadowbank site. In turn, safe work performance is the responsibility of every person in the workplace, including all employees and all levels of management. To fulfill these responsibilities, every person must:

- know what their responsibilities are
- have sufficient authority to carry them out
- have the required ability and competence (training or certification)
- clearly recognize that health and safety are an integral, full-time component of every job.

Specific responsibilities of Cumberland employees in accordance with Cumberland's safety philosophy are listed below. Legislated responsibilities of the mine owner, mine manager, and workers are outlined in Section 4 of this OHSP.

*Hourly Employees* are responsible for:

- following safe work procedures
- using the required personal protection and safety equipment
- using the correct tools and equipment for the job
- keeping tools in good condition
- knowing and complying with all regulations
- reporting any incidents, near misses, injury, or illness immediately
- reporting unsafe acts and unsafe conditions
- suggesting ways to eliminate hazards
- cooperating with Health and Safety Committee members and representatives.

*Supervisors* are responsible for:

- instructing workers about safe work practices
- enforcing health and safety regulations
- providing an example for others by always directing and performing work in a safe manner
- correcting unsafe acts and unsafe conditions
- ensuring that only authorized, adequately trained workers operate equipment
- reporting and investigating all accidents/incidents

- arranging for medical treatment as required, including transportation to an appropriate medical facility
- inspecting the work place regularly and taking remedial action to minimize or eliminate hazards
- ensuring that equipment is properly maintained
- holding regular safety meetings to review safety conditions and general safety policies
- accompanying the government mines inspector during mine and process plant inspections
- ensuring that new and transferred employees receive detailed safety instruction before they are allowed to start work.

*Senior Executives/Managers* are responsible for:

- providing a statement of policy with regard to the OHS program
- providing a safe and healthful workplace
- establishing and maintaining a health and safety program
- maintaining overall control of the safety and loss prevention program
- ensuring that all workers are trained or certified, as required
- ensuring that all established safety policies are administered and enforced in all areas
- reporting accidents and cases of occupational disease to the appropriate authority
- providing medical and first aid facilities
- ensuring that personal protective equipment is available
- providing ongoing health and safety education programs and approved first aid training courses, as required
- supporting supervisors in their health and safety activities
- evaluating the health and safety performance of supervisors.

*Safety Coordinators* are responsible for:

- advising all employees on health and safety matters, including legal requirements and changes in legislation
- coordinating interdepartmental health and safety activities
- assisting in accident investigations and reporting
- collecting and analyzing health and safety statistics
- assisting with safety seminars and training
- preparing inspection reports and ensuring that all deficiencies are addressed
- conducting research on special problems
- attending Health and Safety Committee meetings as a resource person.

## SECTION 3 • JOINT OCCUPATIONAL COMMITTEE

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### 3.1 LEGAL REQUIREMENTS

Under the Canada Labour Code, Part II, Sections 135 to 137, and the *NWT Mine Health and Safety Act* and the regulations, a mining operation with more than 15 employees must establish a Joint Management-Employee Occupational Health and Safety Committee (HSC). Sections 11, 12, and 13 of the Act and Part III of the Regulations address the committee requirements. Key items are as follows:

- The HSC must consist of management members appointed by management and an equal or greater number of worker (hourly) members elected by hourly employees (at least four members total for mines with 15 to 100 employees; at least eight members total for mines with 100 to 250 employees ). HSC member names are to be posted at the mine and sent to the union local (if any) and the Chief Inspector of Mines.
- The HSC must be co-chaired by an appointee from management and an hourly employee selected by the worker members; co-chairs alternate as meeting chairs.
- Worker HSC members must be drawn from representative job classifications at the mine.
- Both worker and management HSC members can serve on the committee for a period of two years and are eligible for re-election or re-appointment for subsequent two-year terms.
- HSC member vacancies are to be filled by election or appointment, as appropriate, within 60 to 90 days (circumstances dependent) of the occurrence of the vacancy.
- Decisions of the HSC are made by majority participation in the decision.
- The mine manager must enable HSC members to participate in inspections, investigations, and meetings.
- The mine manager must ensure that HSC members are paid their normal rate when attending to committee business.
- The mine manager must ensure that HSC members receive training relating to the functions of the committee. A record of training must be kept.
- The mine manager must provide for a meeting place for the HSC.
- HSC members must make monthly inspections of work sites as deemed appropriate by the committee. Meetings are to be held within seven days of an inspection, and minutes of the meeting are to be kept for circulation to the committee members.
- HSC members must participate in accident investigations.



### **3.2 HSC ESTABLISHMENT AT MEADOWBANK**

Cumberland will establish a health and safety committee (HSC) at the Meadowbank Gold project immediately upon initiation of construction activities. The HSC will be composed of a minimum of eight members drawn from Cumberland management and employees and those of the mining contractor. Alternatively, separate committees may be established for the process plant and for the mine. In this case, a minimum of four Cumberland employees will form the HSC for the process plant. Cumberland will ensure that the mining contractor meets the legislated obligations for establishing a mine HSC.

The HSC membership will be determined in consultation with employees and supervisors at the process plant and mining operations. First aid personnel will be available as resources or as members of the HSC, as decided by the joint founding committee. The Safety Coordinator will attend all HSC meetings to act as a resource person and, at the discretion of the HSC, may be invited to be a member.

General terms of reference for committee operation and Cumberland's commitment to the effective functioning of the HSC are outlined below.

### **3.3 HSC TERMS OF REFERENCE**

The HSC will be active participants in the development, implementation, and monitoring of all phases of the OHSP. Special duties will include:

- participating in the development and implementation of programs to protect employee safety and health
- dealing with employee complaints and suggestions concerning safety and health
- ensuring the maintenance and monitoring of injury and work hazard records
- monitoring and following up on hazard reports and recommending appropriate actions
- setting up and promoting programs to improve employee training and education
- participating in all safety and health inquiries and investigations
- participating in resolving workplace refusals and work stoppages related to health and safety
- making recommendations to management for accident prevention and safety program activities
- monitoring the effectiveness of safety programs and procedures.

### **3.4 HSC TRAINING**

Cumberland management will provide a training program for HSC members. The program will include (but not necessarily be limited to):

- committee responsibilities and authority
- occupational health and safety law
- principles of accident causation

- hazard recognition
- job safety analysis
- industrial hygiene
- methods of raising safety awareness
- inspections
- accident investigation
- effective communication
- cross-cultural awareness with respect to health and safety.

### **3.5 ASSURANCE OF HSC EFFECTIVENESS**

Cumberland is committed to the establishment and operation of an effective HSC. To that end, the following checklist of items will be completed by the joint founding committee and followed up in the health and safety audits:

- Members' duties will be clearly defined and provided in writing to all members.
- The founding committee and auditors will canvass members to determine whether they understand their duties and will take appropriate corrective action where necessary.
- The HSC will continually evaluate how effectively members are carrying out their duties and take appropriate corrective action where necessary; auditors will review HSC member effectiveness annually.
- The structure and duties of the HSC will be reviewed by the committee and auditors at least annually and revised as indicated in consultation with all stakeholders.
- Written statements of authority will be provided to each HSC member, the co-chairs, and the secretary, and will be reviewed with each member for understanding by the founding committee and by auditors annually. Authority issues will be reviewed periodically by the HSC, as appropriate or necessary.
- HSC performance will be evaluated by OHS auditors at least annually using the following indicators (or others to be determined by the HSC):
  - Do workers know who members of the committee are?
  - Are the duties and authority of members known to the workers?
  - Is the committee seen by workers as being useful in providing leadership in safety?
  - Is the committee seen by management as correctly meeting its responsibilities and authority?
  - Do line supervisors see members as facilitating worker/supervisor communication in safety?
  - Is the distinction between management and committee responsibility for safety clearly understood by all employees?

- Are members perceived as enforcers or advisors?
- Do workers make suggestions to members?
- Does management representation on the committee reflect its strong commitment to safety?
- Does management fully support committee activities by providing comprehensive information, time, facilities, and training?
- What proportion of members' time during paid work hours is spent on health and safety activities?
- How many committee recommendations have been implemented in the past year and in total since inception?
- When a recommendation is not implemented, are the full reasons given to the committee?
- Is the full record of committee recommendations, their implementation, and reasons for non-implementation available to all workers?

## SECTION 4 • HEALTH & SAFETY RULES

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This section sets out both Cumberland's policy and the minimum government requirements with respect to health and safety rules at the Meadowbank mine site. It includes listings of the respective responsibilities of the mine owner, mine manager, and general employees as stated in the *NWT Mine Safety Act* and the regulations. As discussed in Section 3 of this OHSP, the Act and the Canadian Labour Code require that a mine with more than 15 employees must establish an occupational health and safety committee co-chaired by management and an employee representative; Cumberland's proposed HSC is described in Section 3. In addition to the legislated duties and responsibilities outlined below, the HSC will establish additional site-specific rules as required to promote a safe and healthy work environment at Meadowbank.

### 4.1 CUMBERLAND'S HEALTH & SAFETY POLICY

Compliance with health and safety rules is a condition of employment at the Meadowbank Gold project. This includes both Cumberland employees and the mining contractor's employees. The rules and the rationale for them will be explained at the initial orientation for all new employees or employees that transfer to another position. The Cumberland Safety Coordinator will conduct all health and safety orientations and briefings (updates). The interval for briefings will be decided by the HSC in consultation with Cumberland management. To the extent possible, briefings will be coordinated with the mining contractor's safety coordinator.

No violation of health and safety rules will be disregarded. Violations will initially be dealt with by an employee's supervisor and, at the discretion of the supervisor or manager, by the HSC. Repeated breach of rules or repeated unsafe acts that endanger the safety or health of any individual on site will be grounds for disciplinary action, including dismissal. Coercion of other employees to break the rules will not be tolerated, and such action will be subject to disciplinary action, including dismissal.

### 4.2 LEGISLATED MINIMUM STANDARDS

The minimum health and safety standards for mining in Nunavut are set out in the *NWT Mine Health and Safety Act* and regulations. Copies of this act will be available to Cumberland employees upon request to the Safety Coordinator.

Duties and responsibilities of the mine owner are set out in Section 2(3) of the Act as follows:

*The owner of a mine shall ensure that:*

- *provision is made for such supervision, instruction and training as is necessary to protect the occupational health and safety of the employees;*
- *the mine is constructed, developed, reconstructed, altered or added to in accordance with the NWT Mine Health and Safety Act and regulations;*

- *machinery, equipment, material and protective devices that are required, by the regulations, to be used at the mine or available for the use of employers at the mine, are available for such use;*
- *personal protective equipment required by the regulations to be provided to employees is so provided; and*
- *the mine is operated in accordance with this Act and the regulations.*

The mine owner must appoint a mine manager and make this person known to the Workers' Compensation Board Chief Inspector. The manager will have prime responsibility for ensuring that the requirements of the Act and the regulations are met in the operation of the mine. Other duties and responsibilities of the manager are set out in Section 10(3) of the Act as follows:

*The manager shall:*

- *ensure that machinery, equipment, materials and protective devices required to be used at or available at the mine are maintained in good condition;*
- *ensure that the personal protective equipment required to be provided to employees by the regulations is maintained in good condition;*
- *when appointing a supervisor or surveyor, appoint a person possessing the prescribed qualifications;*
- *ensure that an employee is under the daily supervision of a person possessing the prescribed qualifications;*
- *ensure that an employee receives the information, instruction and supervision necessary to protect his or her health and safety;*
- *establish and maintain an occupational health and safety program as required under the regulations;*
- *establish and maintain a medical surveillance program for employees as required under the regulations;*
- *establish and maintain a mine rescue program as required under the regulations;*
- *ensure that any order, directive, notice or other document that is required to be posted at a mine under this Act or regulations is maintained in a legible condition; and*
- *where an owner is a corporation, send a copy of every order of an inspector and every order and directive of the chief inspector to the senior officer of the corporation designated under subsection 9(1) to review and consult with the manager in respect of such orders and directives.*

The mine manager is also responsible for maintaining a register of all persons employed at the mine in a manner satisfactory to the Chief Inspector of Mines. Duties of the mine manager extend to a contractor, where mining is conducted by a contractor.



Duties and responsibilities of mine workers are set out in Section 17 of the Act as follows:

*A worker shall:*

- *take every reasonable measure and precaution to protect the health and safety of employees and other persons at the mine; and*
- *comply with this Act and the regulations and any orders and directives issued under this Act and the regulations.*

Under the Act, a worker has the right to refuse to perform any work or operate any machinery that he or she has reasonable cause to believe would endanger the health or safety of any person. The worker has the responsibility to bring the condition of concern to the attention of his or her supervisor as quickly as possible. It is the responsibility of the mine owner or contractor to resolve the refusal to work. An employee cannot be discriminated against for refusing to work under conditions that do not comply with the *NWT Mine Health and Safety Act* and the regulations.

## **SECTION 5 • CORRECT WORK PROCEDURES**

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Correct work procedures are the safest way of doing a job based on job instruction, monitoring performance, and accident investigation. Cumberland will develop correct work procedures for all process plant positions through a process of job hazard analysis (JHA). The mining contractor will be responsible for a similar JHA for contract mining employees. In this analysis, each task of a specific job is examined to identify hazards and determine the safest way to perform the work.

Cumberland will use the procedures set out by the Canadian Centre for Occupational Health & Safety (CCOHS) as a guide to material to be covered for the JHA; copy of the CCOHS recommended procedure is included in Appendix A. In summary, the analysis consists of four main steps:

- select the job
- divide the job into sequential steps
- identify the hazards
- define preventive measures.

Critical tasks or jobs, such as those with the potential for causing severe injuries or that entail infrequently performed tasks (e.g., maintenance) will be addressed as a first priority.

The JHA will be carried out by observing employees on the job in question. Members of the HSC will participate. Employees will be briefed as to the reasons for the observation, emphasizing that the objective is to examine the task, not the employee. Where applicable, reference will be made to safety rules and regulations and to the personal protective equipment required, if any. Employees will be asked for their suggestions and assistance in these analyses.

## SECTION 6 • EMPLOYEE ORIENTATION

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New employees to the mine, as well as those who transfer internally, will be provided with a job-specific health and safety orientation, which will include the results of the job hazard analysis (JHA) for their specific position. No employee will commence a new job until the supervisor or manager is satisfied that the employee is adequately trained for the tasks to be performed. Orientation sessions will cover, at a minimum:

- Cumberland's commitment to occupation health and safety
- function of the work unit
- organizational relationships (how the various operating positions interrelate)
- administrative arrangements (the employee's supervisor and the supervisor's manager)
- policies and rules pertaining to the specific job and to the overall Meadowbank operation
- work duties and safe work practices
- fire and other emergency procedures
- location of first aid or medical stations
- locations of fire extinguishers, eye wash stations, first aid kits, WHMIS Right-to-Know stations (material safety data sheets – MSDSs)
- health and safety responsibilities of the employee and the employer, including those specified by the *NWT Mine Health and Safety Act* and regulations
- procedures for reporting accidents, injuries, unsafe conditions, and unsafe acts
- use of personal protective equipment
- right to refuse hazardous work, duty of the employee to report the situation, and duty of management to address the refusal
- hazards, including those outside the employee's own work area
- reasons for each health and safety rule.

Because the Meadowbank mine will be a mixed cultural environment, with personnel from both western and aboriginal backgrounds, the orientation sessions will include a discussion of diversity awareness and the importance of creating a supportive working environment for all employees. Employees will be informed that racial discrimination by any employee will not be tolerated and will be grounds for disciplinary action, including dismissal.

A brochure or handout outlining the points covered in the orientation sessions will be provided to each employee.

New, inexperienced, or transferred employees will be encouraged to ask questions at any time if they have any doubts about correct procedures. The following checklist of items must be clearly understood:

- hazards of the job
- availability of job safety training
- required safety equipment and reasons for the need
- required personal protective equipment (PPE), the available training in PPE use, and reasons for the need
- cold weather safety precautions
- how (and to whom) to report unsafe or unhealthy conditions
- who is responsible for safety-related questions
- what to do if an injury or accident occurs.

All new employees will be assessed as to their understanding of the items discussed in the orientation sessions within approximately one week of the session by their supervisor or other manager, as appropriate. Assessments will be conducted in a helpful, non-threatening way and will not constitute a job evaluation. The reasons for the assessment will be explained to the employee, along with suggestions for additional study or training. The supervisor or manager will complete an assessment evaluation form that will not identify the employee or the position, but will be structured so as to evaluate the orientation process and its success in conveying essential health and safety information to new and transferred employees.

## **SECTION 7 • TRAINING**

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### **7.1 SUPERVISORY PERSONNEL**

Under the *NWT Mine Health and Safety Act* and regulations, all supervisors at a mining operation must be certified. All supervisory personnel at the Meadowbank Gold project will require, as a condition of employment, certification under the Act.

### **7.2 EMPLOYEES**

As a minimum, all employees will receive an initial job orientation, Workplace Hazardous Materials Information System (WHMIS) training, and on-the-job supervision to ensure training has been successful. Documented correct work procedures and JHAs will be used as training guides for job training. On-the-job training will, at a minimum, consist of:

- steps in carrying out the job and each task involved in the job
- all the hazards associated with the job and the required personal protective equipment (PPE)
- where to obtain PPE and health and safety information
- where to obtain information about any aspect of the job.

Each step in the job will be demonstrated, stressing key points. The employee will then be led through the job procedure. The employee's supervisor will conduct initial frequent checks to ensure that the employee is following correct and safe procedures.

Certain employees, as are willing and designated by the HSC, will be trained in mine rescue procedures applicable to the Meadowbank operations. This training will be the primary responsibility of the mining contractor but will be reviewed and approved by Cumberland management. Employees hired initially with appropriate mine rescue training will be designated as the mine rescue team at the commencement of mining. Training of the mine rescue team will include emergency evacuation appropriate to the Meadowbank operations.

### **7.3 HEALTH & SAFETY COMMITTEE**

In accordance with the Act, Cumberland management will ensure that training relevant to the work of the HSC is provided at least twice per year. A record of training will be kept and will be made available to the mines inspector. Cumberland will proactively comply with the provisions of the Act and will ensure that its mining contractor complies as well. Training for the HSC will include procedures and processes required for routine workplace health and safety inspections and for accident investigations. These areas are discussed in following Sections 8 and 9 of this OHSP.



## SECTION 8 • WORKPLACE INSPECTIONS

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### 8.1 LEGAL REQUIREMENTS

Workplace inspections are intended to identify existing or potential hazards and to recommend appropriate corrective action. The *NWT Mine Health and Safety Act* and regulations set out requirements for workplace inspections by mine management, the HSC, and mine inspectors. Management must ensure that procedures are in place for the examination of:

- the condition of access routes, haulage roads, and travelways
- the suitability and safety of work practices
- the general condition of equipment, tools, and protective equipment and devices
- the use of protective equipment and devices
- the condition of refuge stations
- the adequacy of ventilation
- the presence of hazardous gases and toxic fumes
- emergency arrangements, including safe means of egress
- provisions to ensure that work procedures are being properly followed.

The Act mandates the monthly inspection of as many work sites as the HSC considers necessary.

Cumberland will comply with the provisions of the Act and regulations in a proactive manner. Management and employees, through the HSC, will evaluate previous accidents and the potential for serious accidents and injuries in assigning inspection frequencies beyond those mandated in the Act.

### 8.2 INSPECTION TEAM MEMBERS

HSC members will ordinarily carry out inspections beyond those conducted by the process plant manager and the mining contractor's designate. At the discretion of the committee, additional personnel may be added to the inspection team. Criteria for the selection of the inspection team will include (but not necessarily be limited to) the following:

- knowledge of the *NWT Mine Health and Safety Act* and regulations and company policies and procedures
- familiarity with the hazards and with the standards, regulations, personal protective equipment, and procedures that apply to the area to be inspected
- experience with the work processes involved in the inspection
- knowledge of previous injuries and illnesses in the workplace or conditions at similar mines and processing plants

- ability and skills to assess situations requiring corrective action (job hazard recognition)
- training in inspection and in handling personnel and situations
- knowledge of the organization's operations, work flow, systems, and products
- proper attitudes and influence to bring about improvements.

### **8.3 PURPOSE OF WORKPLACE INSPECTIONS**

The purpose of workplace inspections will be to:

- listen to concerns of workers and supervisors
- gain further understanding of jobs and tasks
- identify existing and potential hazards
- determine the underlying causes of hazards
- monitor hazard controls
- recommend corrective action.

### **8.4 INSPECTION PLANNING & PROCEDURES**

Prior to an inspection, the inspection team will consult and review relevant documents, including notes from previous inspections. Where practical and indicated, the team members will use inspection checklists to help ensure that items are not overlooked. The HSC will develop customized checklists adapted to each workplace and to the conditions at Meadowbank.

During inspections, both work conditions and procedures will be observed. If required, preventative actions will be instituted immediately. Inspection notes will include details of hazards, including exact locations, and hazards will be classified either at the site or in a follow-up meeting. Recommendations for action, such as engineering controls, management actions, and worker re-education, will be included in the inspection report.

### **8.5 POTENTIAL WORKPLACE HAZARDS**

Potential workplace hazards relevant to the Meadowbank Gold project include:

- safety hazards related to inadequate machine guards, improper use of air hoses, improperly functioning PPE, poor housekeeping practices, unsafe electrical cords/outlets, improperly functioning fire protection equipment, careless storage of flammable materials, and other unacceptable workplace conditions and practices
- chemical hazards caused by solids, liquids, vapours, dust, fumes, mist, etc.

- ergonomic hazards caused by anatomical, physiological, and psychological demands on the worker, such as repetitive and forceful movements, vibration, temperature extremes, and awkward postures arising from improper work methods and improperly designed tools and equipment
- physical hazards caused by noise, vibration, energy, blasting, and heat and cold extremes.

## **8.6 INSPECTION SCHEDULING**

An overall inspection schedule will be developed by the HSC in consultation with management. The schedule will take into account inspection intervals for each area within the workplace, the designated team members and their responsibilities for the inspection, and the degree of detail required to inspect each area.

The frequency of inspections will be based on:

- the number and size of different work operations
- the type of equipment and work processes in each work area
- the number of operating shifts per day
- the introduction of any new processes or machinery.

## **8.7 FOLLOW-UP MEETINGS**

Following the inspection, the HSC will meet to evaluate inspection results. Minutes of the meeting will be forwarded to management and to the Chief Inspector of Mines. Minutes will also be posted for the information of employees.

## **8.8 REPORTING**

Reports will include (but not necessarily be limited to):

- department or area inspected
- date of inspection
- names and titles/positions of the inspection team
- unfinished items from previous reports
- observed unsafe conditions
- hazard classification of the condition:
  - major, requiring immediate attention
  - serious, requiring short-term action
  - minor, requiring long-term action.
- recommended methods of control.

## **8.9 FOLLOW-UP MONITORING**

Follow-up monitoring will be the joint responsibility of the HSC and management and will consist of the following:

- reviewing the information obtained from regular inspections to identify where immediate corrective action is needed
- identifying trends and obtaining timely feedback
- analyzing inspection reports to identify:
  - priorities for corrective action
  - need for improving safe work practices
  - insight about why accidents are occurring in particular areas
  - need for training in certain areas
  - areas and equipment that require more in-depth hazard analysis.

## **8.10 HAZARD REPORTING BY EMPLOYEES**

All employees will be informed during initial job orientation of their requirement under the Act and the regulations to report hazards immediately to their supervisor. Employees will be expected to report hazards as they are noticed, rather than waiting for workplace health and safety inspections to bring unsafe conditions or procedures to the attention of management and fellow workers.

## **SECTION 9 • REPORTING & INVESTIGATING ACCIDENTS**

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The *NWT Mine Health and Safety Act* and regulations outline procedures that must be followed in the event of an accident, as well as the duties of the mine manager and WCB mines inspectors. Cumberland Resources will proactively comply with all provisions of the Act and the regulations.

It is Cumberland's policy to investigate all accidents and incidents, including "near misses." The purpose of the investigation is to identify measures can be taken to prevent a recurrence of similar events. After causes have been determined, prompt follow-up action is required to achieve the purpose of the investigation.

The following standard steps will be followed in accident investigation throughout the workplace.

- provide first aid and medical care to the injured person(s)
- identify the cause(s)
- prepare a report on the findings
- develop a plan for corrective action
- implement the plan
- evaluate the effectiveness of the corrective actions
- incorporate changes for continuous improvement.

Cumberland's final OHSP will specify the following:

- what is to be reported
- to whom it is to be reported
- how it is reported
- which incidents are investigated
- who will investigate them
- what forms are to be used
- what training the accident investigators will receive
- what records are to be kept (legal and company policy requirements)
- what summaries and statistics are to be developed and whose responsibilities these are
- how often reports are to be prepared.

Detailed accident investigation procedures will be developed cooperatively between Cumberland management and the mining contractor. These procedures will be reviewed at an early opportunity by the HSC shortly after it is formed, but no later than six months after mine construction commences.



## SECTION 10 • EMERGENCY PROCEDURES

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Cumberland will develop an emergency response plan (ERP) prior to mine construction to deal with emergencies such as fires, explosions, major release of hazardous materials, violent occurrences, or natural hazards. The plan will conform to requirements set out in the *NWT Mine Health and Safety Act* and regulations, and will include at least the following:

- a list of potential hazards
- possible major consequences of each
- required countermeasures
- inventory of resources needed to carry out the planned actions
- provision for establishing the necessary emergency organization and procedures.

Communication, training, and periodic drills will ensure that all employees perform as required when emergency procedures must be implemented.

The ERP will be developed in cooperation with Cumberland's mining contractor and will cover both the mining and processing operations at the Meadowbank mine; the HSC will be a key participant.

A draft spill prevention, countermeasures, and control plan has also been developed and will be finalized prior to construction.

## SECTION 11 • MEDICAL & FIRST AID

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The *NWT Mine Health and Safety Act* and regulations requires that the mine manager establish and maintain a medical surveillance program and first aid facilities for employees. Cumberland will proactively comply with the Act and the regulations at the Meadowbank Gold project and will ensure that the mining contractor and all other contractors and subcontractors at the mine site also comply. Specifically:

- A first aid, or nursing, station that conforms to the requirements set out in the Regulations will be established at a convenient location at the mine site.
- A first aid attendant, or nurse, of appropriate qualifications will be hired or contracted.
- First aid equipment, supplies, and facilities will be kept clean, dry, and ready for use.
- All employees will be made aware of the location of first aid facilities and how to call for first aid assistance.
- Signs indicating how to call and the location of first aid facilities will be posted throughout the mine site.
- Effective means of communication will be established between the first aid, or nursing, station and all work areas to be served.
- Effective means of communication will be established to allow the person in charge of the first aid facility to summon additional aid. This will likely be a satellite phone for external communication and a site phone or radio, as appropriate, for mine communication.
- First aid equipment and supplies will be established at refuge stations, the processing plant, and other locations as required in the Regulations.
- First aid equipment and supplies will be inspected weekly and replenished or replaced, as required.
- Supervisors and employees will have first aid training, as required by the Regulations.

A policy on return to work after lost-time accidents will be established in consultation with the mining contractor to ensure internal consistencies between mining and processing operations at the Meadowbank site. The following guidelines will be used in developing the policy:

- Productive, suitable work will be offered to the employee.
- The worker's physician will be consulted and must agree that employment will not harm the worker or slow down his or her recovery.
- No work will be offered that, if done by the worker in question, will pose a threat to other workers' health and safety.
- As far as practical, the policy will be applied to off-the-job injuries as well as those suffered on the job.

## **SECTION 12 • OHSP IMPLEMENTATION & PROMOTION**

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Cumberland Resources recognizes the importance of management commitment to the OHSP, from the CEO to managers and employees at all levels. All personnel will be accountable for their individual performance with respect to health and safety on the job. Specific management actions taken in consultation with the HSC will include:

- providing sufficient time, money, and personnel for implementation and promotion of the OHSP
- ensuring that employees receive training or certification as required
- setting realistic goals and monitoring progress toward these goals
- distributing all pertinent information regarding job health and safety and related matters
- including health and safety performance as part of employee performance appraisals at all levels
- ensuring management attendance at HSC meetings
- developing a system of individual recognition for superior performance, such as safety awards that recognize achievement
- designing a communication system, such as a tally board placed in a prominent location, to provide a daily accounting of the number of accident-free days worked in the current period
- providing active support for general meetings on health and safety, briefings by supervisors where indicated, and one-on-one coaching.

## **SECTION 13 • WORKPLACE SPECIFIC ITEMS**

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The final OHSP will provide additional details on procedures and requirements related to workplace-specific items. These will include (but not be limited to):

- WHMIS training and the location of MSDSs
- electrical lockout procedures, including general information for all employees and specific procedures for employees requiring them
- job-specific materials handling rules
- job-specific training for personnel handling materials that could pose a health or safety risk
- general information on ammonium nitrate and explosives handling for all employees working in areas where explosives are used
- all employees handling explosives will be licensed, without exception (note: ammonium nitrate is not an explosive unless mixed with fuel oil to produce ANFO)
- job-specific training and orientation for safe operation and maintenance of plant equipment and of mobile equipment such as trucks, shovels, and front-end loaders
- fire guards and the location of fire fighting equipment, including fire extinguishers
- vehicle safety rules, including speed limits imposed by wildlife management considerations
- guidelines for working alone
- job-specific personal protective equipment requirements
- for employees requiring it, orientation on engineering standards in use at the mine
- for employees requiring it, the purchasing standards policy of Cumberland and the mining contractor
- for all employees, orientation on preventative maintenance and its value; and for employees requiring it, job-related training in preventative maintenance (e.g., mobile equipment operators)
- for all employees, orientation in off-the-job safety.

In addition, all employees will be provided with details of the “Emergency Response Plan,” “Spill Contingency Plan,” and “Hazardous Materials Management Plan.”

## **SECTION 14 • PLAN EVALUATION & CONTINUOUS IMPROVEMENT**

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Consistent with guidelines for ISO-14000 environmental management systems, Cumberland will conduct an annual in-house occupational health and safety audit to evaluate the effectiveness of the OHSP. Periodically, as indicated and approved by senior management, an external organization will be contracted to conduct a check OHS audit. The Cumberland staff who conduct the in-house audits will work closely with external auditors to ensure a thorough review of health and safety issues.

The audits will verify compliance with laws and regulations and conformance with corporate guidelines, policies, and procedures. Regular safety auditing will also serve to maintain worker health and safety consciousness at a consistent level and assure employees that management strongly supports the workplace health and safety programs.

An auditing protocol will be designed once the mine plan has been finalized and prior to the end of the first year of commercial production. To ensure that the audit adequately covers all health and safety aspects at the Meadowbank Gold project, Cumberland will consult with its major contractors to complete the protocol. An applicable occupational health and safety program audit by the Workers' Compensation Board of the Northwest Territories and Nunavut is attached in Appendix B.

Procedures will be established for follow-up on both in-house and external audits, including target dates for remedial actions and follow-up checks.

## **APPENDIX A**

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**Job Hazard Analysis, Canadian Centre for Occupational Health & Safety**

# **Job Hazard Analysis,**

## **What is a Job Hazard Analysis?**

One way to increase the knowledge of hazards in the workplace is to conduct a job hazard analysis on individual tasks. A job hazard analysis (JHA) is a procedure which helps integrate accepted safety and health principles and practices into a particular operation. In a JHA, each basic step of the job is examined to identify potential hazards and to determine the safest way to do the job. Other terms used to describe this procedure are job safety analysis (JSA) and job hazard breakdown.

Some individuals prefer to expand the analysis into all aspects of the job, not just safety. This approach, known as total job analysis, job analysis or task analysis, is based on the idea that safety is an integral part of every job and not a separate entity. In this document, only health and safety aspects will be considered.

The terms "job" and "task" are commonly used interchangeably to mean a specific work assignment, such as "operating a grinder," "using a pressurized water extinguisher," or "changing a flat tire." JHAs are not suitable for jobs defined too broadly, for example, "overhauling an engine"; or too narrowly, for example, "positioning car jack."

## **What are the benefits of doing a Job Hazard Analysis?**

The method used in this example is to observe a worker actually perform the job. The major advantages of this method include that it does not rely on individual memory and that the process prompts recognition of hazards. For infrequently performed or new jobs, observation may not be practical. With these, one approach is to have a group of experienced workers and supervisors complete the analysis through discussion. An advantage of this method is that more people are involved allowing for a wider base of experience and promoting a more ready acceptance of the resulting work procedure. Members of the joint occupational safety and health committee should participate in this process.

Initial benefits from developing a JHA will become clear in the preparation stage. The analysis process may identify previously undetected hazards and increase the job knowledge of those participating. Safety and health awareness is raised, communication between workers and supervisors is improved, and acceptance of safe work procedures is promoted.

The completed JHA, or better still, a written work procedure based on it, can form the basis for regular contact between supervisors and workers on health and safety. It can serve as a teaching aid for initial job training and as a briefing guide for infrequent jobs. It may be used as a standard for health and safety inspections or observations and it will assist in completing comprehensive accident investigations.

## **What are the four basic steps?**

Four basic stages in conducting a JHA are:

- selecting the job to be analyzed
- breaking the job down into a sequence of steps
- identifying potential hazards
- determining preventive measures to overcome these hazards

## **What is important to know when "selecting the job"?**

Ideally, all jobs should be subjected to a JHA. In some cases there are practical constraints posed by the amount of time and effort required to do a JHA. Another consideration is that each JHA will require revision whenever equipment, raw materials, processes, or the environment change. For these reasons, it is usually necessary to identify which jobs are to be analyzed. Even if analysis of all jobs is planned, this step ensures that the most critical jobs are examined first.

Factors to be considered in assigning a priority for analysis of jobs include:

- Accident frequency and severity: jobs where accidents occur frequently or where they occur infrequently but result in disabling injuries.
- Potential for severe injuries or illnesses: the consequences of an accident, hazardous condition, or exposure to harmful substance are potentially severe.
- Newly established jobs: due to lack of experience in these jobs, hazards may not be evident or anticipated.
- Modified jobs: new hazards may be associated with changes in job procedures.
- Infrequently performed jobs: workers may be at greater risk when undertaking non-routine jobs, and a JHA provides a means of reviewing hazards.

## **How do I break the job into "basic steps"?**

After a job has been chosen for analysis, the next stage is to break the job into steps. A job step is defined as a segment of the operation necessary to advance the work. See examples below.

Care must be taken not to make the steps too general, thereby missing specific steps and their associated hazards. On the other hand, if they are too detailed, there will be too many steps. A rule of thumb is that most jobs can be described in less than ten steps. If more steps are required, you might want to divide the job into two segments, each with its separate JHA, or combine steps where appropriate. As an example, the job of changing a flat tire will be used in this document.

An important point to remember is to keep the steps in their correct sequence. Any step which is out of order may miss potential hazards or introduce hazards which do not actually exist.

Each step is recorded in sequence. Make notes about what is done rather than how it is done. Each item is started with an action verb. Appendix A illustrates a format which can be used as a worksheet in preparing a JHA. Job steps are recorded in the left hand column, as shown below:

### **Sequence of Events**

#### **Potential Accidents or Hazards Preventive Measures**

Park vehicle

Remove spare and tool kit

Pry off hub cap and loosen lug bolts (nuts).

And so on.....



This part of the analysis is usually prepared by watching the worker do the job. The observer is normally the immediate supervisor but a more thorough analysis often happens by having another person, preferably a member of the joint occupational health and safety committee, participate in the observation. Key points are less likely to be missed in this way.

The worker to be observed should be experienced and capable in all parts of the job. To strengthen full co-operation and participation, the reason for the exercise must be clearly explained. The JHA is neither a time and motion study in disguise, nor an attempt to uncover individual unsafe acts. The job, not the individual, is being studied in an effort to make it safer by identifying hazards and making modifications to eliminate or reduce them. The worker's experience can be important in making improvements.

The job should be observed during normal times and situations. For example, if a job is routinely done only at night, the JHA review should also be done at night. Similarly, only regular tools and equipment should be used. The only difference from normal operations is the fact that the worker is being observed.

When completed, the breakdown of steps should be discussed by all the participants (always including the worker) to make that all basic steps have been noted and are in the correct order.

### **How do I "identify potential hazards"?**

Once the basic steps have been recorded, potential hazards must be identified at each step. Based on observations of the job, knowledge of accident and injury causes, and personal experience, list the things that could go wrong at each step.

A second observation of the job being performed may be needed. Since the basic steps have already been recorded, more attention can now be focused on potential hazards. At this stage, no attempt is made to solve any problems which may have been detected.

To help identify potential hazards, the job analyst may use questions such as these ( this is not a complete list):

- Can any body part get caught in or between objects?
- Do tools, machines, or equipment present any hazards?
- Can the worker make harmful contact with objects?
- Can the worker slip, trip, or fall?
- Can the worker suffer strain from lifting, pushing, or pulling?
- Is the worker exposed to extreme heat or cold?
- Is excessive noise or vibration a problem?
- Is there a danger from falling objects?
- Is lighting a problem?
- Can weather conditions affect safety?
- Is harmful radiation a possibility?
- Can contact be made with hot, toxic, or caustic substances?
- Are there dusts, fumes, mists, or vapours in the air?

Potential hazards are listed in the middle column of the worksheet, numbered to match the corresponding job step. For example:

### **Sequence of Events**

## **Potential Accidents or Hazards Preventive Measures**

Park vehicle

a) Vehicle too close to passing traffic

b) Vehicle on uneven, soft ground

c) Vehicle may roll.

Remove spare and tool kit

a) Strain from lifting spare.

Pry off hub cap and loosen lug bolts (nuts).

a) Hub cap may pop off and hit you

b) Lug wrench may slip

And so on.....

a) ...

Again, all participants should jointly review this part of the analysis.

## **How do I "determine preventive measures?"**

The final stage in a JHA is to determine ways to eliminate or control the hazards identified. The generally accepted measures, in order of preference, are:

### **1. Eliminate the hazard**

This is the most effective measure. These techniques should be used to eliminate the hazards:

- Choose a different process
- Modify an existing process
- Substitute with less hazardous substance
- Improve environment (ventilation)
- Modify or change equipment or tools

### **2. Contain the hazard**

If the hazard cannot be eliminated, contact might be prevented by using enclosures, machine guards, worker booths or similar devices.

### **3. Revise work procedures**

Consideration might be given to modifying steps which are hazardous, changing the sequence of steps, or adding additional steps (such as locking out energy sources).

#### 4. Reduce the exposure

These measures are the least effective and should only be used if no other solutions are possible. One way of minimizing exposure is to reduce the number of times the hazard is encountered. An example would be modifying machinery so that less maintenance is necessary. The use of appropriate personal protective equipment may be required. To reduce the severity of an accident, emergency facilities, such as eyewash stations, may need to be provided.

In listing the preventive measures, use of general statements such as "be careful" or "use caution" should be avoided. Specific statements which describe both what action is to be taken and how it is to be performed are preferable. The recommended measures are listed in the right hand column of the worksheet, numbered to match the hazard in question. For example:

##### **Sequence of Events Potential Accidents or Hazards Preventive Measures**

Park vehicle

a) Vehicle too close to passing traffic

b) Vehicle on uneven, soft ground

c) Vehicle may roll.

a) Drive to area well clear of traffic. Turn on emergency flashers

b) Choose a firm, level area

c) Apply the parking brake; leave transmission in gear or in PARK; place blocks in front and back of the wheel diagonally opposite to the flat

Remove spare and tool kit

a) Strain from lifting spare.

a) Turn spare into upright position in the wheel well. Using your legs and standing as close as possible, lift spare out of truck and roll to flat tire.

Pry off hub cap and loosen lug bolts (nuts).

a) Hub cap may pop off and hit you

b) Lug wrench may slip

a) Pry off hub cap using steady pressure

b) Use proper lug wrench; apply steady pressure slowly.

And so on.....

a) ...

a) ...

#### **How should I make the information available to everyone else?**

JHA is a useful technique for identifying hazards so that measures can be taken to eliminate or control them. Once the analysis is completed, the results must be communicated to all workers who are, or will be, performing that job. The side-by-side format used in JHA worksheets is not an ideal one for instructional purposes. Better results can be achieved by using a narrative-style format. For example, the work procedure based on the partial JHA developed as an example in this document might start out like this:

### **1. Park vehicle.**

- a) Drive vehicle off the road to an area well clear of traffic, even if it requires rolling on a flat tire. Turn on the emergency flashers to alert passing drivers so that they will not hit you.
- b) Choose a firm, level area so that you can jack up the vehicle without it rolling.
- c) Apply the parking brake, leave the transmission in gear or PARK, place blocks in front and back of the wheel diagonally opposite the flat. These actions will also help prevent the vehicle from rolling.

### **2. Remove spare and tool kit.**

- a) To avoid back strain, turn the spare up into an upright position in its well. Stand as close to the trunk as possible and slide the spare close to your body. Lift out and roll to flat tire.

### **3. Pry off hub cap, loosen lug bolts (nuts).**

- a) Pry off hub cap slowly with steady pressure to prevent it from popping off and striking you.
- b) Using the proper lug wrench, apply steady pressure slowly to loosen the lug bolts (nuts) so that the wrench will not slip and hurt your knuckles.

### **4. And so on.**

## **APPENDIX B**

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**Health & Safety Program Audit, Workers' Compensation Board,  
Northwest Territories & Nunavut**

# HEALTH and SAFETY

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## PROGRAM AUDIT

**When complete, please return this  
audit within 30 days to your nearest  
Workers' Compensation Board  
Prevention Services Division.  
Addresses located on page 6.**

***Mission Statement:***

***PROMOTE SAFE WORK PRACTICES AND PROVIDE FAIR BENEFITS.***



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## **INTRODUCTION**

Auditing is a long-established tool commonly used to evaluate and monitor financial and production performance. In recent years, the audit tool has been adapted to workplace safety programs to evaluate the effectiveness of those programs and to identify deficiencies that require corrective action.

The Workers' Compensation Board's Prevention Services Division has recently introduced the attached basic safety program self audit to evaluate the ten components or elements that make up a comprehensive safety program.

The Workers' Compensation Board booklet **Guidelines for Developing Effective Health & Safety Programs** describes the ten elements and should provide a useful reference to enable you to complete the audit.



## **BENEFITS OF THE SAFETY PROGRAM AUDIT**

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A safety audit provides management with five major benefits:

1. The safety audit is an *evaluation tool* that will enable management to evaluate the effectiveness of its safety program.
2. The safety audit is a *monitoring tool* to be administered at regularly scheduled intervals. It will indicate relative increases or decreases in effectiveness in each area that is being measured.
3. The safety audit is a *corrective tool* to show management what areas are deficient and what corrective action is required.
4. Regular safety auditing will *serve to maintain worker safety consciousness* at a consistent level and, if corrective action is undertaken as needed, will convince employees that management strongly supports the workplace safety and health program.

Safety audits improve the effectiveness of safety programs, and *will reduce injury risk and WCB claims*.

## **Six Basic Steps in the Audit Process**

1. Initiate the audit.
2. Gather the necessary information:
  - documents;
  - interviews;
  - questionnaires;
  - other methods.
3. Analyze the information.
4. Report your findings.
5. Develop an action plan.
6. Follow up.

## **STEP 1**

---

### **Initiate the Audit**

This is a self-audit. A consultant can, however, do the audit for you. The time required to complete the audit will depend on the complexity of your business. Because effectiveness of the audit depends on worker participation, the person initiating the audit should explain its purpose and how it will be conducted. The information provided above, in the section "Benefits of the Safety Program Audit", can help you to explain the purpose of an audit.

## STEP 2

---

### Gather the Necessary Information

Before you begin, gather together the relevant documentation, such as:

- the company safety policy;
- safety handbooks (rule book);
- written work procedures;
- safety committee minutes;
- accident statistics and investigation reports;
- planned inspection reports;
- first-aid record books;
- the accident prevention program;
- planned maintenance checks;
- training records;
- hazardous substance record;

You may not have all of these documents because of the age or size of your firm. The more you have, however, the easier your audit will be. To ensure that the audit is effective, you should go back at least six months in your documentation. If you find a recurring problem, however, you should go back even further and document the problem. You will then have a solid basis for your recommendations.

Interview questions should be handled the same way as observations. You should go through the audit and make up a list of what you are going to ask. The number of persons interviewed will vary according to the number of workers at your worksite.

### b) Interviews

Examples of interview questions may be:

1. **Of a Worker**      What instructions were you given when you began work at this workplace?
2. **Of a Supervisor**      Does the company's policy state your responsibilities regarding safety?
3. **Of a Manager**      What training in effective supervision is done for your line supervisors?

More examples of interview questions can be found in the appendices.

### c) Questionnaires

Information may be obtained by other methods. For example, one way to effectively obtain information from a larger number of workers is to have them complete a questionnaire.

### d) Other Methods for Collecting Information

- Inspecting the workplace.
- Studying published research materials.
- Informal workplace observation.
- Planned task observation.

### e) Scope

The elements evaluated include:

1. occupational health and safety policy;
2. the Joint Occupational Health and Safety Committee;
3. hazard control;
4. the training and instruction of workers;
5. supervision;
6. the investigation of accidents and occupational hazards;
7. hazardous materials and health monitoring;
8. regular inspections;
9. First Aid services and emergency response; and
10. a periodic review of the occupational health and safety program.

These are the same elements found in the **Guidelines for Developing Effective Health and Safety Programs**.

## STEP 3

### Analyze the Information

### Rating System

The following method is used to rate scoring results:

<b>Functioning Effectively</b>	<b>85 - 100</b>
<b>Documented and Implemented</b>	<b>65 - 84</b>
<b>Meets Minimum Requirements</b>	<b>50 - 64</b>
<b>Requires Immediate Attention</b>	<b>0 - 44</b>

Use the rating system to score each element individually. Where an element does not apply to your particular worksite, skip that component and proceed with the other elements. The overall total of all elements may not be relative if one or two elements do not apply to your business.

## **STEP 4**

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### **Report Your Findings**

The people involved in the audit process should present their findings to the management and safety committee. A signed copy of this completed report should be sent to the Safety Officer/Mine Inspector listed on page 7. Note that management and worker representatives must sign and date the audit. At this stage, the auditor(s), management and workers are signing an honest appraisal. Please provide a copy of the company's safety policy with this audit. No other documentation needs to be remitted.

## **STEP 5**

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### **Develop an Action Plan**

This is the step that deals with the honest appraisal of the safety program. It may be possible to make substantial improvements in some areas as problems are spotted during the audit process, but it is more than likely that a set of recommendations and a plan to achieve them will need to be drawn up.

## **STEP 6**

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### **Follow-Up**

Management and the Safety Committee must review the implementation of the action plan until each element is functioning effectively.

Elements requiring attention should be audited monthly. All elements should be audited annually, possibly one element each month.

## HEALTH AND SAFETY PROGRAM AUDIT

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\_\_\_\_\_  
Employer

\_\_\_\_\_  
Address

\_\_\_\_\_  
Person(s) and position(s) completing this report      Date

\_\_\_\_\_  
Reviewed by management co-chairperson      Date

\_\_\_\_\_  
Reviewed by worker co-chairperson      Date

(Please include a copy of the company's safety policy)

Return to:

Safety Officer/Mine Inspector

By \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_  
Workers' Compensation Board  
Prevention Services Division  
Box 8888  
Yellowknife, NT  
X1A 2R3

\_\_\_\_\_  
Safety Officer/Mine Inspector

By \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_  
Workers' Compensation Board  
Prevention Services Division  
Box 368  
Rankin Inlet, NU  
X0C 0G0

\_\_\_\_\_  
Safety Officer/Mine Inspector

By \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_  
Workers' Compensation Board  
Prevention Services Division  
Box 669  
Iqaluit, NU  
X0A 0H0

MAXIMUM POINTS	POINTS EARNED
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## Element 1

### OCCUPATIONAL HEALTH AND SAFETY POLICY

- ◆ The Occupational Health and Safety Program is initiated by a written policy statement by the employer.

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*Comment*

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- ◆ The policy statement:
  - a) sets forth the objectives of the program. This can also include the company philosophy towards occupational safety and health.
  - b) describes in general terms the roles and responsibilities of the:

3  
3  
3  
3  
3

Employer  
Supervisor  
Worker  
Contractor(s)  
Joint OH&S Committee

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*Comment*

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- ◆ The policy is:
  - a) dated;
  - b) signed by the employer;
  - c) visibly posted.

*Comment*

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20		◆ The policy statement is signed by the employer and is posted at a place where it is available to or readily seen by the workers. Other forms of communication can be:
5		a) during induction of new workers;
5		b) discussions during crew talks or staff meetings.
5		c) how the policy was communicated to the workers, e.g., through crew talks

		<i>Comment</i>
35		

100		<b>Total for Element 1</b>
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<b>MAXIMUM POINTS</b>	<b>POINTS EARNED</b>
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## Element 2

### JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE

		◆ The employer has established and maintained:
5		a) an accident prevention program;
5		b) a joint health and safety committee.

Note: If a committee is not established go to Element 3.

		<i>Comment</i>
10		

		◆ The committee consists of members:
2		a) who are regularly employed at the place of employment;
4		b) not fewer than four in number;
2		c) at least half of whom represent the worker;
2		d) who are employer members designated by the employer and worker members elected by the workers.

10		Comment

- |   |   |
|---|---|
| 2 | ◆ The committee:  |
|   | a) functions through a set of terms of reference.   |
| 2 | b) elects two co-chairpersons from its membership. One is chosen by employer members and the other is selected by worker members. |
| 2 | c) chooses a safety representative from worker members.   |
| 2 | d) schedules meetings.  |
|   | e) records and maintains minutes of its proceedings and makes them available to the employer and workers.                         |
| 2 | f) inspects the workplace monthly.  |

10		Comment

- |  |  |
|--|--|
|  | ◆ The names and locations of each of the committee members and health and safety representatives are conspicuously posted in the work place. |
|--|--|

5		Comment

MAXIMUM POINTS	POINTS EARNED
7	
7	

- |  |  |
|--|--|
|  | ◆ The Joint Occupational Safety and Health Committee:  |
|  | a) identifies situations that may be a source of danger or hazard to workers;  |
|  | b) makes recommendations to the employer and to the workers for the improvement of the health and safety of workers; |



- |   |  |
|---|--|
| 6 | c) participates through assigned representatives in workplace safety and health inspections;   |
| 7 | d) investigates and deals with complaints relating to the health and safety of workers represented by the committee;   |
| 7 | e) reviews all accident investigation reports and participates in investigations into accidents that result in or have high potential for serious or fatal injuries;                           |
| 7 | f) inquires into matters pertaining to health and safety including consultation with persons who are technically qualified to advise the committee on such matters;                            |
| 5 | g) provides appropriate safety representatives to accompany the safety officers/mining inspectors during investigations and inspections,   |
| 7 | h) promotes programs, measures and procedures for the protection of health and safety and for the education and training of workers represented by the committee;                              |
| 7 | i) obtains from the employer information concerning hazards with respect to materials, processes or equipment that may be possessed or reasonably attained by the constructor or the employer; |
| 5 | j) participates in scheduled training that is relevant to the work of the committee.   |

*Comment*

60

100

**Total for Element 2**

### **Element 3**

#### **HAZARD CONTROL (as per company policy)**

◆ Written procedures include:

- |   |                                       |
|---|---------------------------------------|
| 3 | a) what equipment is to be monitored; |
| 3 | b) how equipment is to be monitored;  |
| 3 | c) when equipment is to be monitored; |

- |   |  |
|---|--|
| 3 | d) who is responsible for monitoring equipment;                          |
| 3 | e) what type of administrative controls are in place;                    |
| 3 | f) what type of engineering controls are in place;                       |
| 2 | g) what type of personal protective equipment is required and available. |

	<div style="border-bottom: 1px solid black; width: 50px; margin: 0 auto;"></div>	<i>Comment</i> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div>
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	<div style="border-bottom: 1px solid black; width: 50px; margin: 0 auto;"></div>	<div style="border-bottom: 1px solid black; padding-bottom: 2px;"> <b>MAXIMUM POINTS      POINTS</b>  <b>EARNED                EARNED</b> </div>
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- ◆ Written procedures have been developed to provide instruction for work which is particularly hazardous, such as confined space entry, lock out, etc.

	<div style="border-bottom: 1px solid black; width: 50px; margin: 0 auto;"></div>	<i>Comment</i> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div>
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- ◆ Guards or isolation techniques are used to protect the worker from dangers that cannot be isolated.

	<div style="border-bottom: 1px solid black; width: 50px; margin: 0 auto;"></div>	<i>Comment</i> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div>
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- ◆ Workers are provided with protective equipment to protect themselves from dangers.
- a) Workers have also received training in areas of availability, monitoring, maintenance and discipline.

	<div style="border-bottom: 1px solid black; width: 50px; margin: 0 auto;"></div>	<i>Comment</i> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div>
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		<hr/> <p>◆ Some form of monitoring for ergonomics, biological, chemical, physical and radiation exposure of workers is present. When results exceed a certain level of standard, action is taken.</p>
<hr/> 10	<hr/>	<i>Comment</i> <hr/> <hr/> <hr/> <hr/>
		<p>◆ Do you have workplace procedures which include:</p> <p>a) emergency/fire procedures?</p> <p>b) injury reporting?</p> <p>c) employee orientation?</p> <p>d) safe equipment operation?</p>
5 5 5 5 <hr/> 20	<hr/>	<i>Comment</i> <hr/> <hr/> <hr/> <hr/>

MAXIMUM POINTS	POINTS EARNED	
5		◆ Do you have workplace standards which include:
5		a) floors, corridors, doorways and stairs kept free of obstruction?
5		b) specific personal protective equipment to be worn during work procedures?
5		c) no alcoholic beverages or drugs to be consumed prior to or while on duty?
5		d) personal hygiene requirements?
<u>5</u>	<u>    </u>	<i>Comment</i>
20		
<u>100</u>	<u>    </u>	<b>Total for Element 3</b>

#### Element 4

#### TRAINING AND INSTRUCTION OF WORKERS

		◆ The employer has:
3		a) developed a comprehensive orientation training program;
3		b) delivered an orientation program to each new employee;
3		c) transferred employee;
3		d) promoted employee;
3		e) hired casual workers;
		f) arranged program delivery by a competent staff member.
<u>15</u>	<u>    </u>	<i>Comment</i>

<div> <div></div> <div>15</div> </div>	<div> <div></div> </div>	<div> <div>◆ Workers are trained and periodically retrained to ensure that they are capable of competently performing their duties safely.</div> <div>Comment</div> <div></div> <div></div> <div></div> <div></div> </div>
<div> <div></div> <div>10</div> </div>	<div> <div></div> </div>	<div> <div>◆ Workers receive specific training for each new or different task assigned.</div> <div>Comment</div> <div></div> <div></div> <div></div> <div></div> </div>
<div> <div>MAXIMUM POINTS</div> <div>POINTS EARNED</div> </div>		
<div> <div></div> <div>10</div> </div>	<div> <div></div> </div>	<div> <div>◆ Workers receive training regarding hazard identification and reporting procedures.</div> <div>Comment</div> <div></div> <div></div> <div></div> <div></div> </div>
<div> <div></div> <div>10</div> </div>	<div> <div></div> </div>	<div> <div>◆ Workers receive training on chemicals, toxins, biological agents and physical hazards, which may be harmful to their health.</div> <div>Comment</div> <div></div> <div></div> <div></div> <div></div> </div>

		<p>◆ Workers receive specific training in the use and care of personal protective equipment.</p>
<p>10</p>		<p><i>Comment</i></p> <hr/> <hr/> <hr/> <hr/>
		<p>◆ Workers receive training regarding the workplace safety policy, the <i>NWT</i> and/or <i>Nunavut Safety Acts</i> or the <i>NWT</i> and/or <i>Nunavut Mine Health and Safety Acts</i> and Regulations pertaining to the specific workplace. This will include the workers' rights and responsibilities and hazard reporting (internal responsibility system).</p>
<p>10</p>		<p><i>Comment</i></p> <hr/> <hr/> <hr/> <hr/>
		<p>◆ Workers display observable and consistent safe work procedures.</p>
<p>10</p>		<p><i>Comment</i></p> <hr/> <hr/> <hr/> <hr/>
<p>100</p>		<p><b>Total for Element 4</b></p>

MAXIMUM POINTS	POINTS EARNED
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## Element 5

### SUPERVISION

- ◆ A system of effective two-way communication exists between management and supervisors to discuss health and safety concerns, internal responsibility systems, and accountability.

*Comment*

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- ◆ Supervisors are trained in techniques of effective supervision and worker motivation, instruction and training of workers.

*Comment*

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- ◆ Supervisors have received training or direction on accident investigation.

*Comment*

10

- ◆ Supervisors ensure that worker orientation is done and that specific job instruction is delivered to workers.

*Comment*

10

- ◆ Supervisors conduct:
  - regular process and equipment inspections;
  - frequent informal observation of work procedures.

5

5

<u>10</u>	<u>    </u>	<i>Comment</i> _____ _____ _____
		◆ Supervisors conduct documented crew talks and set a good example.
<u>10</u>	<u>    </u>	<i>Comment</i> _____ _____ _____
<b>MAXIMUM POINTS</b>	<b>POINTS EARNED</b>	◆ A supervisor is responsible for:
10		a) the proper training of workers under his/her direction and control, ensuring that their work is performed without undue risk;
10		b) ensuring that the worker uses or wears the equipment, protective devices, or clothing required under the <i>NWT</i> and/or <i>Nunavut Safety Acts</i> or the <i>NWT</i> and/or <i>Nunavut Mine Health and Safety Acts</i> and Regulations or by the nature of the work;
10		c) advising the worker of the existence of any danger to his/her health and safety;
10		d) providing the worker with written instruction on the measures and procedures he/she is to take for his/her own protection.
<u>40</u>	<u>    </u>	<i>Comment</i> _____ _____ _____
<u>100</u>	<u>    </u>	<b>Total for Element 5</b>



## Element 6

### INVESTIGATION OF ACCIDENTS AND OCCUPATIONAL HAZARDS

◆ A written investigation procedure should include:

- 3 a) which incidents are to be reported to the Workers' Compensation Board (WCB) and which are to be reported to the Prevention Services Division;
- 3 b) who is to notify the WCB or Prevention Services Division;
- 3 c) which incidents are to be investigated internally;
- d) incidents investigations procedures reflecting the legislative requirements;
- 3 e) the intent of the investigation and who is on the investigation team;
- 3 f) the identification of causes;
- 3 g) what should be on the file report;
- 3 h) what should be posted and what remains confidential;
- 3 i) a statement towards the preservation of evidence;
- 3 j) remedial action taken, including routing and follow-up;
- 3 k) feedback to the investigation team.

*Comment*

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◆ Verify that documentation exists for investigations of:

- 10 a) all medical aid injuries;
- 10 b) all serious near misses.

*Comment*

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MAXIMUM POINTS	POINTS EARNED	
		◆ Investigators receive training on conducting accident investigations, which includes:
4		a) the principles of accident investigations;
4		b) the gathering of evidence;
4		c) information analysis;
4		d) report writing;
4		e) the firm's individual procedure.
		<i>Comment</i>
20		
		◆ Corrective action and follow-up are done by:
5		a) head office;
5		b) the site manager;
5		c) the first line supervisor;
5		d) a safety committee member or representative;
		<i>Comment</i>
20		
		◆ Investigations are being reviewed by Health and Safety Committee/supervisors/senior management as indicated by:
2		a) further recommendations which have been made;
2		b) noted reference in committee minutes;
2		c) updated work procedures;
2		d) recommended training and education;
2		e) crew talks content.
		<i>Comment</i>
10		
100		<b>Total for Element 6</b>

MAXIMUM POINTS	POINTS EARNED
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## Element 7

### HAZARDOUS MATERIALS AND HEALTH MONITORING

◆ Management must identify harmful substances that enter the workplace and develop inventory. This includes:

- |   |   |
|---|---|
| 3 | a) a purchasing system to ensure that when controlled products are ordered, a request is made for a current Material Safety Data Sheet; |
| 2 | b) a system to ensure that the product is properly labeled and that the product MSDS is included;                                       |
| 2 | c) assurance that no product will be used unless it is properly labeled and the product MSDS is available on site;                      |
| 3 | d) training on the Workplace Hazardous Material Information System (WHMIS);   |
| 2 | e) an annual review of WHMIS.   |

*Comment*

12

All controlled products which do not have the original supplier labels or that are decanted or that are in pipes, tanks and piles have workplace labels.

◆ Workplace labels must have:

- |   |   |
|---|---|
| 3 | a) a product identifier;                        |
| 3 | b) information for safe handling;               |
| 3 | c) a statement referring to the available MSDS. |

*Comment*

9

◆ Management ensures that a proper MSDS is available for each controlled product on site. The MSDS should be:

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3  
3

- a) updated at least every three years;
- b) updated when the product changes;
- c) accessible to all workers on all shifts.

<hr/>	<hr/>	<i>Comment</i>
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		<hr/>
		<hr/>

<b>MAXIMUM POINTS</b>	<b>POINTS EARNED</b>
<hr/>	<hr/>

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5  
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5

- ◆ Management must train workers to:
- a) recognize different labels;
  - b) understand the significance of labels;
  - c) read applicable portions of the MSDS;
  - d) use controlled products properly;
  - e) use proper personal protective equipment when handling hazardous products;
  - f) know how to store controlled products;
  - g) know disposal procedures;
  - h) know emergency procedures.

<hr/>	<hr/>	<i>Comment</i>
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		<hr/>
		<hr/>

◆ Management ensures that harmful substances and physical agents at the workplace are monitored to reduce risk to workers working under these conditions. This is done by:

4

- a) using testing equipment or arranging for spot testing for air contaminants (e.g. poisonous, flammable and asphyxiate gases);

4		b) constant monitoring for dangerous gases and vapors;
4		c) using thermometers for heat and cold measurements;
4		d) advising workers of hazards and indicating personal protective equipment to be worn;
4		e) ensuring workers in high noise areas have annual hearing tests.
<hr/>		<i>Comment</i>
20	<hr/>	<hr/>
		<hr/>
		<hr/>
		◆ An employer should have a spill and emergency plan and facilities for any hazardous material. This will include:
2		a) spill clean-up stations (including protective equipment);
3		b) an emergency shower and /or eyewash station;
3		c) trained response personnel;
2		d) a brief step-by-step plan.
<hr/>		<i>Comment</i>
10	<hr/>	<hr/>
		<hr/>
		<hr/>
100	<hr/>	<b>Total for Element 7</b>

<b>MAXIMUM POINTS</b>	<b>POINTS EARNED</b>
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## Element 8

### REGULAR INSPECTIONS

- |   |   |
|---|---|
| 5 | ◆ Management has developed guidelines, which include:     |
| 5 | a) a statement of the intent of conducting an inspection; |
| 5 | b) a commitment to address the recommendations made;      |
| 5 | c) what is to be inspected;                               |
| 5 | d) what conditions are not acceptable;                    |

5		e) who conducts the inspection;
5		f) how frequently inspections are conducted;
5		g) the areas and equipment to be inspected;
5		h) an explanation and the use of a hazard classification system.
<hr/>		<i>Comment</i>
40	<hr/>	<hr/>
		<hr/>
		<hr/>
		◆ The inspection report should contain:
5		a) a hazard classification section;
5		b) sections for follow-up and actions taken;
5		c) information regarding whose responsibility it is to correct the hazards;
5		d) the date by which the hazard must be corrected.
<hr/>		<i>Comment</i>
20	<hr/>	<hr/>
		<hr/>
		<hr/>
		◆ Inspectors:
5		a) are given directions on how to address unsafe conditions;
5		b) are trained in hazard recognition and hazard control;
5		c) should know their responsibilities;
5		d) make use of a checklist and complete an inspection report.
<hr/>		<i>Comment</i>
20	<hr/>	<hr/>
		<hr/>
		<hr/>
		◆ A written procedure is available for workers to report unsafe conditions.
<hr/>		<i>Comment</i>
5	<hr/>	<hr/>
		<hr/>
		<hr/>

MAXIMUM POINTS	POINTS EARNED
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- ◆ Management, supervisors and workers take immediate corrective action when hazards are recognized.

5		Comment

- ◆ Special inspections should be done when there is equipment failure, an accident or when a new process is incorporated.

10		Comment

100		Total for Element 8
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## Element 9

### FIRST AID SERVICES AND EMERGENCY RESPONSE

- ◆ Management ensures that:

5		a) first aid services, equipment and supplies are readily available on site;
5		b) services, equipment and supplies are in accordance with their hazard classification as outlined by the NWT and Nunavut Safety Regulations or the NWT and Nunavut Mine Health and Safety Regulations;
5		c) all supplies and equipment are kept clean and dry;
5		d) all supplies and equipment are complete.
20		Comment

- ◆ Management ensures that a number of workers with valid first aid certificates are available on site as required by the NWT and Nunavut Safety Regulations or the NWT and Nunavut Mine Health and Safety Regulations.

		<i>Comment</i>
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<b>MAXIMUM POINTS</b>	<b>POINTS EARNED</b>
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- ◆ The first aid record book is:

- |    |  |  |
|----|--|--|
| 10 |  | a) accurately kept;  |
| 10 |  | b) reviewed by management and by the Health & Safety Committee on specified dates, as required by the company safety policies. |

		<i>Comment</i>
20		

- ◆ Emergency lighting is provided in places of employment that are normally used during periods of darkness or that do not have an available source of natural light.

		<i>Comment</i>
10		

- ◆ An emergency plan including a fire fighting plan with which all workers are familiar, is in place in each workplace. This includes procedures for:

- |   |  |   |
|---|--|---|
| 2 |  | a) electrical failure;  |
| 2 |  | b) an earthquake;   |
| 2 |  | c) chemical spills or gas leaks;  |
| 2 |  | d) structural failure;  |
| 2 |  | e) industry specific emergencies (e.g., flood, mine rescue techniques). |



<u>10</u>	<u>    </u>	<i>Comment</i>
		<hr/>
		<hr/>
		<hr/>
		◆ Emergency fire exits:
2		a) open in the direction of exit travel;
2		b) remain unlocked;
2		c) are easily accessible;
2		d) are marked by an exit sign;
2		e) remain illuminated.
<u>10</u>	<u>    </u>	<i>Comment</i>
		<hr/>
		<hr/>
		<hr/>
<b><u>MAXIMUM POINTS</u>   <u>POINTS EARNED</u></b>		◆ Portable fire extinguishers of sufficient number which are approved under the <i>NWT and Nunavut Fire Protection Acts</i> :
5		a) are located in all work areas as outlined in part 6 of the National Fire Code: 1990;
5		b) bear the name of the person in charge of maintenance and the date of the last annual inspection;
5		c) are filled after each use;
5		d) are of a class appropriate to the area.
<u>20</u>	<u>    </u>	<i>Comment</i>
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		<hr/>
		<hr/>
<u>100</u>	<u>    </u>	<b>Total for Element 9</b>

## Element 10

### PERIODIC REVIEW OF OCCUPATIONAL SAFETY AND HEALTH PROGRAM

◆ A periodic review of data and records is completed. This review evaluates:

- |   |  |
|---|--|
| 5 | a) first aid records;                                  |
| 5 | b) inspection reports, accident investigation reports; |
| 5 | c) training records;                                   |
| 5 | d) Health & Safety Committee minutes and records;      |
| 5 | e) maintenance reports and equipment log books;        |
| 5 | f) Material Safety Data Sheets.                        |

*Comment*

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- |   |  |
|---|--|
| 4 | a) A formal review of the firm's Accident Prevention Program is done annually. |
| 3 | b) A written report is completed for management's review.                      |
| 3 | c) The Safety Committee or a safety representative is involved in the review.  |

*Comment*

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MAXIMUM POINTS	POINTS EARNED
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The review of the firm’s Accident Prevention Program should include the 10 elements covered in this Health and Safety Program Audit:

- |   |  |
|---|--|
| 5 | 1) occupational health and safety policy;                |
| 5 | 2) Joint Occupational Health and Safety Committee;       |
| 5 | 3) hazard control;                                       |
| 5 | 4) training and instruction of workers;                  |
| 5 | 5) supervision;  |
| 5 | 6) investigation of accidents and occupational diseases; |
| 5 | 7) hazardous material and health monitoring;             |
| 5 | 8) regular inspections;                                  |
| 5 | 9) First Aid services and emergency response;            |
| 5 | 10) periodic review of occupational health and safety.   |

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- |   |  |
|---|--|
| 3 | a) Management prioritizes areas needing improvement.                                 |
| 4 | b) Management sets up a plan of action to implement improvements quickly.            |
| 3 | c) A follow-up assessment is done to evaluate the effectiveness of the action taken. |

*Comment*

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100	
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**Total for Element 10**

## **SAFETY OFFICER/MINING INSPECTOR REVIEW**

Comments:

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## Appendix

### Manager/Supervisor Interview Questions

**It is very important that a good cross section of all the company personnel is interviewed.**

Question			Interview Response	
#	Evaluation		NO	YES
1		Can you tell me what the company health and safety program objectives are?		
2		Can you tell me what your responsibilities for health and safety with this company are?		
3		How are hazards identified?		
4		When hazards have been identified, how do you prioritize, evaluate and determine corrective actions?		
5		Can you list the written safe work procedures your workers use?		
6		Is there a system in place to review these safe work procedures?		
7		Have you been involved in the development of any safe work procedures?		
8		Are there written job procedures that your workers use on a regular basis?		
9		Are these job procedures reviewed? Please explain that process.		
10		How are the company rules communicated to workers?		
11		What happens if someone breaks the rules?		
12		Do you use guidelines to select personal protective equipment (PPE)? What are they?		
13		Who explains to new employees the PPE requirements?		
14		How are defective equipment such as hand tools, equipment or machinery handled on this site?		
15		Is orientation mandatory for all personnel including, clerical and supervisory staff, contractors etc.?		
16		What topics are covered during the orientation?		
17		What on-the-job training do the workers receive?		

## Manager/Supervisor Interview Questions Cont.

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Question		Manager/Supervisor Interview Questions	Interview Response	
#	Evaluation		NO	YES
18		Who trains the workers?		
19		Have you received formal training to assist you with leading the company safety program?		
20		Have you attended any safety meeting? When was the last one?		
21		What were the topics discussed at that safety meeting?		
22		When are formal inspections conducted?		
23		When did you take part in an inspection?		
24		Who is involved in formal inspections?		
25		What areas are normally inspected?		
26		How are the deficiencies dealt with?		
27		Does management sign and review inspections reports?		
28		Is formal training provided for accident/incident investigations?		
29		How are close calls reported?		
30		Does the management team review and sign accident and incident reports?		
31		When did you last practice the emergency plan?		
32		How do you contact emergency assistance?		
33		Give examples of how government legislation is implemented in your daily job planning?		
Comments/totals etc.				

## Workers - Interview Questions

Question		Workers Interview Questions	Interview Response	
#	Evaluation		NO	YES
1		Please tell me what your responsibilities for health and safety are within this company.		
2		Have you ever given or been asked for feedback on hazards?		
3		Are safe work practices and procedures available to you, as required by company safety policy?		
4		What safe work practices or procedures do you use on a regular basis?		
5		Do you have any input into the development of safe practices and procedures?		
6		Is there a method in place to review safe work practices and procedures? Please explain the method.		
7		How were you made aware of company rules?		
8		What are the rules regarding PPE?		
9		What happens when someone breaks a rule?		
10		Do you have access to PPE? Please explain how the system works.		
11		What PPE do you use and how were the requirements regarding PPE communicated to you?		
12		If you wanted to look at the company's safety program, how would you get it?		
13		What system is in place for the maintenance of equipment, or machinery?		

14		Do you know the procedure for work refusal?
15		If you see a hazard, what do you do about it?
16		Do you know how to contact a member of the Joint OH&S Committee?
17.		Do you attend safety meeting, when? What topics are on the agenda?
Comments/totals etc.		



## **APPENDIX C**

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**Safety Legislation for Employers & Employees, Workers' Compensation Board,  
Northwest Territories & Nunavut**



**WORKERS' COMPENSATION BOARD**  
Northwest Territories and Nunavut

## **SAFETY LEGISLATION FOR EMPLOYERS AND EMPLOYEES**

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### ***Mission Statement***

***TO PROMOTE ACCIDENT PREVENTION AND PROVIDE WORKERS AND EMPLOYERS WITH QUALITY SERVICES.***

### **A GUIDE TO SAFETY LEGISLATION**

The purpose of this booklet is to help you understand the safety legislation that may apply to your workplace. In the event of a discrepancy between this booklet and the Act that applies to the specific workplace, the Act shall prevail.

The original Acts and Regulations should be used for the purpose of interpreting and applying the law. Depending on the work site, the *NWT or Nunavut Safety Act* and General Safety Regulations or the *NWT or Nunavut Mine Health and Safety Act* and Regulations will apply.

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## **OUR GOAL - HEALTH AND SAFETY**

Both the *NWT and Nunavut Safety Acts* and General Safety Regulations and the *NWT and Nunavut Mine Health and Safety Acts* and Regulations are laws which were passed to protect a worker's health and safety on the job. They provide a framework within which an employee and an employer can work together to keep the work site safe and free of health hazards.

This booklet describes the major sections of these Acts. If you read it carefully, it will help you understand how to comply with the legislation and make your work site a healthier and safer place.

## **THE ACTS AND REGULATIONS**

These Acts set standards to protect and promote the health and safety of all workers throughout the Northwest Territories and Nunavut. Along with their Regulations, they outline the rights and responsibilities of workers, as well as employers with regard to the work site.

The Acts give the governments of the NWT and Nunavut the authority to make regulations about health and safety in the workplace. Regulations now exist which cover areas such as general safety, noise, chemical hazards, and first aid, to name a few. You should be aware that all the regulations apply to work sites.

It is everybody's responsibility to be familiar with the Act and Regulations that apply to his/her work site.

## **DOES IT APPLY TO ME?**

All four of the Acts and Regulations affect most of the workers and employers in the Northwest Territories and Nunavut. The major exceptions are federal government employees, workers in federally regulated industries (e.g., airlines and banks), offshore workers and domestic helpers.

The *NWT and Nunavut Safety Acts* (Section 5) define the obligation workers have toward safety and health. Other responsibilities are stated in the regulations.

Employees at mine sites also have a responsibility toward health and safety. The *NWT and Nunavut Mine Health and Safety Acts* (Sections 17, 18) detail these responsibilities. Other responsibilities are stated in the regulations.

You are considered to be an employer if you employ one or more workers, if you are designated to represent an employer, or if your corporate responsibility is to oversee workers' health and safety for an employer. In certain situations, principal contractors and suppliers must assume some of the responsibilities of an employer.

If you are self-employed, you are also treated as an employer under the Acts.

The *NWT* and *Nunavut Safety Acts* (Section 4) define the obligations employers have toward the health and safety of their workers. Other responsibilities are stated in the regulations.

The *NWT* and *Nunavut Mine Health and Safety Acts* (Sections 2, 13, 16) define the obligations of owners (employers), managers and supervisors toward the health and safety of their workers at a mine site. Other responsibilities are stated in the regulations.

## **AVAILABILITY OF THE ACTS AND REGULATIONS**

Every employer shall maintain for reference by all his/her workers a copy of the applicable Safety Act and General Safety Regulations (Section 6). The *NWT* and *Nunavut Mine Health and Safety Acts* and Regulations (reg. 3.29) require that each employee receive a copy of the Act and Regulations. The employer must ensure that workers understand the provisions of the Act and the Regulations that pertain to their work site.

## **OCCUPATIONAL HEALTH AND SAFETY**

The Acts and Regulations are "rules" to help keep your work site safe and healthy, whether it is a mine site, construction site or an office. The job of the Workers' Compensation Board Prevention Services Division is to see that the "rules" are followed, to make sure everything is being done to prevent accidents and disease, and to educate workers and employers.

Three offices (Yellowknife, Rankin Inlet, and Iqaluit) provide a full range of occupational health and safety services and expertise. Our Safety Officers and Mine Inspectors are also involved in on-going work site inspections, accident and/or complaint investigation activities.

## **THE EMPLOYER'S RESPONSIBILITIES**

The Acts state that employers must do everything they reasonably can to protect the health and safety of their workers. For example, equipment must be maintained in safe working order and dangerous chemicals must be properly labelled and stored.

Employers must establish safe work procedures at the work site and ensure that these procedures are followed. They must also ensure that workers have the skill and training necessary to do their jobs safely. In addition, employers must inform their workers of any hazards that exist at the job site. It is up to the employer to make sure that each employee is aware of his/her duties and responsibilities for keeping the work site safe.

If controlled products (i.e., hazardous substances or chemicals) are manufactured, stored or used at a work site, the Acts require that employers provide labels and "Material Safety Data Sheets" (MSDSs). In addition, employers must provide training in the safe use of these controlled products. All workers must be provided with the information needed to do their jobs safely. The Workers' Compensation Board Prevention Services Division can assist with the specific information.

If workers are exposed to certain controlled products, employers should monitor their health and provide appropriate protective measures. In some cases, specific health examinations may be required. Examinations should take place during normal working hours and at the employer's expense.

In some cases, employers may be required to register workers with Workers' Compensation Board Prevention Services Division. The division may require that the workers be periodically examined and that specific medical records be maintained.

## **THE EMPLOYEE'S RESPONSIBILITIES**

The law requires that employees work in a safe manner and be safety conscious on the job. They must co-operate with their employer by following the pre-established health and safety rules. The Acts require employers to make workers aware of their obligations.

In addition to a general responsibility under the Acts to work safely, employees have specific safety requirements to follow under the regulations. For instance, employees are required to use a fall arrest safety harness or similar piece of equipment when doing certain kinds of work. Workers must use personal protective equipment when required.

## **WHAT ABOUT HAZARDS?**

Under the Workplace Hazardous Materials Information System (WHMIS) legislation, each employee has a responsibility to:

1. learn how to use WHMIS.
2. accept and review information on hazardous materials at the work site.
3. follow recommended procedures to protect him/herself and others.
4. inform his/her employer of damaged or missing labels.

## **WORKPLACE HAZARDOUS MATERIALS INFORMATION SYSTEM (WHMIS)**

Workplace Hazardous Materials Information System (WHMIS) legislation applies to work sites covered by the *NWT* and *Nunavut Safety Acts* and General Safety Regulations and the *NWT* and *Nunavut Mine Health and Safety Acts* and Regulations.

The WHMIS (pronounced "WIMISS") legislation came into effect in 1989. WHMIS is a chemical product identification and labelling system designed to help Canadian employers identify, recognize, and control the hazards associated with harmful materials and substances. Hazardous materials are referred to as controlled products. The three areas covered by the legislation are:

1. Labelling
2. Material Safety Data Sheets (MSDS)
3. Worker Education Programs

All hazardous chemical product users, from janitorial services to print-shop

owners and contractors will benefit from WHMIS. Not only does it make better health and safety information available, but it makes it available on many more products.

WHMIS applies to all industries and workplaces in Canada. It is based on a worker's right to know about the dangers faced from hazardous materials. The purpose of the legislation is to make it easier for the user to identify hazardous products. It stipulates that certain products be labelled and Material Safety Data Sheets (MSDS) be prepared and given to users. It also requires employers to make sure their employees are aware of the hazards they face from the products with which they may come in contact.

## **THE EMPLOYER'S RESPONSIBILITIES UNDER WHMIS**

If an employer receives products covered by the WHMIS legislation, he/she must check that the required supplier labels are in place. If they are not, the employer must notify the supplier. Hazardous materials produced at the workplace for use there, and those whose supplier labels have been removed accidentally or have become illegible must be labelled with work site labels by the employer. The employer must also apply a work site label when a hazardous material is transferred from the supplier's container to another container. Although there is no specific format for a work site label, it should identify the product, give a reference to the MSDS, and provide information for the safe handling of the hazardous material.

The employer must also make sure a current MSDS is readily available for all eligible products he/she makes or buys.

Note: The Workers' Compensation Board Prevention Services Division can provide more specific information on labelling and MSDS. Contact numbers for this information can be found on the last page of this booklet.

Most importantly, the law requires that workers be trained so they understand the purpose and importance of the information on the labels and in the MSDSs. The training should also include instruction about the procedures for the use, safe handling, storage and disposal of the hazardous materials. The best way to do this training is for employers to first provide employees with general information about the five classes of materials subject to WHMIS legislation. Employees and employers can then discuss the information provided in a MSDS. In all cases, the information given to workers should:

- apply to their business,

- be up-to-date, and

- be presented in such a way that employees can understand and know how to use the product.

## **IF THERE IS A HAZARD AT A WORKSITE**

If an employee believes something at his/her work site is hazardous to him/her or other workers, he/she should first try to settle the problem directly with the employer through his/her supervisor.

If that doesn't work, an employee should take the problem up with the joint work site occupational health and safety committee, if there is one at the work site.

If there is no committee, or if the worker is still not satisfied, he/she should contact the Workers' Compensation Board Prevention Services Division to investigate. Anyone has the right to do this whether directly involved or not.

## **CORRECT PROCEDURES TO PERFORM A JOB SAFELY**

In some cases, an employer may be required to prepare either a code of practice or safe operating procedure for the work site. This may be a booklet, poster or manual which outlines the safe way to do things. The employer must inform the worker of the code of practice or safe operating procedures and make them readily available.

## **FIRST AID SERVICE REQUIREMENTS**

The NWT and Nunavut General Safety Regulations (Part III) and the NWT and Nunavut Mine Health and Safety Regulations (Part VIII Division 4), specify employer and worker requirements with respect to first aid.

Workers should, immediately upon sustaining an injury, avail themselves to first aid services and equipment provided by their employer.

When a worker is injured, his/her employer should complete an accident report. This report states the name of the worker, the date and time of the injury, the date and time the worker reported for treatment, the names of any witnesses, a brief description of the injury and a description of the treatment rendered. The report should be signed by the employer and the first aider or first aid attendant who treated the worker.

Every accident report under the Regulations is to be submitted to the Chief Safety Officer or Chief Inspector of Mines of the Workers' Compensation Board Prevention Services Division.

Unless specifically exempted in writing, every employer shall, at his/her own expense, provide the first aid services and equipment required by the *NWT or Nunavut Safety Act* and General Safety Regulations and NWT or Nunavut Mine Health and Safety Act and Regulations.

The Chief Safety Officer or Chief Inspector of Mines may, where they deem it essential due to the nature and location of a project or the distance from hospital or fixed facility for medical care, direct an employer to provide such additional first aid services as considered necessary.

### **IN ALL CASES OF INJURY THE EMPLOYER SHALL:**

1. furnish first aid in accordance with regulations of the Act that applies to that work site.
2. keep a written record of all first aid treatment.
3. when required, provide immediate transportation to a hospital, doctor, or to any other place that is appropriate for the treatment of the worker's condition.

4. promptly provide the Workers' Compensation Board with an Employer's Report of Accident and any other report or information that is deemed necessary. For example, an employer must also notify the Workers' Compensation Board's Prevention Services Division if an accident has occurred. If the accident disables, or is likely to disable, the worker for more than the day of the accident, the employer shall give notice of accident or the allegation of happening of the accident to the Workers' Compensation Board within 72 hours after acquiring knowledge of the accident or the allegation and shall give a copy of that notice to the worker.

If the worker is not disabled beyond the day of accident, the employer is not required to report the accident to the Workers' Compensation Board UNLESS medical treatment is received.

If the accident disables a worker for the day of accident or part thereof, the employer shall, by the end of the next regularly scheduled pay period after that day, pay compensation to the worker for that period of disability. This will be an amount equal to the minimum normal net wage the worker would have received for that day if he/she had not been disabled and had been available for work.

5. If the accident disables a worker for longer than the day of the accident, compensation shall be paid, by the Workers' Compensation Board to the worker from and including the day following the day the accident occurred.
6. If the accident is of a serious nature or fatal, see page 23.

## **PERSONAL PROTECTIVE EQUIPMENT**

Personal protective equipment (PPE) is used to protect workers from job site hazards. These hazards can include such things as slippery surfaces, flying particles, noise, falling objects, hot, abrasive, or corrosive materials, and toxic fumes. PPE is also used in emergency situations for protection against fire or chemical contaminants. It can provide protection from almost any hazardous condition or unsafe act as well as provide protection for almost any or all parts of the human body.

PPE should not be used as a substitute for other health or safety control measures. It is used when such measures fail or cannot be implemented. It is also used as a form of temporary protection in an emergency such as lack of proper ventilation when an exhaust fan stops working and can't be fixed quickly.

In a number of sections of the NWT and Nunavut Safety Acts and General Safety Regulations and the NWT and Nunavut Mine Health and Safety Acts and Regulations, the use of PPE is specified.

Generally, where there is a risk of injury or danger to a worker's physical health, the employee is responsible for wearing properly fitting protective equipment.



Workers are required under the regulations to wear or use PPE and maintain PPE in good working order and in a sanitary condition.

Where an employer is required to provide a worker with PPE, the worker should return any PPE that is or becomes defective or which does not provide the required protection. In many instances, an employer is responsible to provide and ensure that a worker wears PPE.

An employer shall ensure that the PPE required under either of these Acts and Regulations is worn or used by the worker, is maintained in good working order and is in a sanitary condition. For example, workers handling materials likely to puncture, cut, abrade, burn or freeze the hands must use gloves or other PPE adequate to prevent injuries unless the use of such equipment introduces a greater hazard. Properly fitting and adequate goggles, face shields, or other eye protective equipment are provided to and used by the worker. A worker exposed to the risk of drowning shall be provided with a flotation device having a buoyant effect sufficient to maintain the head above water without any effort by the worker. In other cases, the employer shall provide, and the worker shall wear, respiratory protective equipment appropriate to the circumstances.

### **Enforcement - Don't Just Choose It, Use It!**

If you are an employer, you are required by law to be sure your employees wear personal protective equipment to protect them against hazards present in your business. The law also requires them to use this equipment. To encourage its use, supply equipment that fits each employee properly and is comfortable to wear.

Make your employees aware of your policy regarding the use of personal protective equipment. Make sure they are aware of all the potential hazards present at your workplace. Also make sure they are aware of the consequences of not wearing protective equipment in terms of both their health and their employment.

Finally, you must be sure anyone present at your workplace uses the required personal protective equipment. This applies to visitors and outside contractors but, most importantly, it applies to you. You can't afford to take the risk of not using it.

## **OUR PHILOSOPHY**

We believe that employers know best how to make their work site a healthy and safe place. The Acts and Regulations reflect this philosophy. These Acts establish general principles which employers are required to observe. In most cases, however, it is up to the employers to determine how they apply these principles.

## ACCEPTANCES AND VARIANCES

Some of the regulations require that things are done in a particular way or that a particular piece of equipment is used. If an employer wants to do things in a different way, he/she may apply to the Workers' Compensation Board's Prevention Services Division for an acceptance or variance. If he/she can satisfy the Chief Safety Officer or Chief Inspector of Mines that his/her alternative is equally safe, he/she may be allowed to proceed. Acceptances or variances can only be granted to certain regulations by the Chief Safety Officer or Chief Inspector of Mines.

## UNUSUAL DANGER

From the NWT and Nunavut Safety Acts (Section 13), unusual danger applies in relation to any occupation.

From the NWT and Nunavut Mine Health and Safety Regulations, unusual danger is detailed in the regulations, Part V, 5.09 and 5.11.

## IMMINENT DANGER

Under the *NWT and Nunavut Safety Acts* (Section 14), imminent danger means any danger which is not normal for the worker to face in the course of the job, or any danger under which a person would not normally carry out his/her work.

Under the *NWT and Nunavut Mine Health and Safety Acts*, *dangerous occurrence* is the term used in Sections 1, 24, 30 and 45 of these Acts. *Dangerous occurrence* is defined in the following: regulations 16.01, 16.02, 16.05, 16.06 and 18.02.

An example of a *dangerous occurrence* might be where a worker is asked to enter or work in a trench which is more than 1.5 metres (4 feet) deep and is not protected by either shoring or cut-backs. This condition poses an imminent danger and is against regulations.

As soon as an employee makes the decision to refuse to perform dangerous work, he/she should immediately notify his/her employer or supervisor. If the supervisor is not on the premises, the employee should take whatever steps necessary to contact him/her as soon as possible.

ALL SERIOUS ACCIDENTS MUST BE REPORTED WITHIN 24-HOURS TO:

(867) 873-7468

It is important that a worker explain to his/her employer the reasons for his/her decision. The employer is required to investigate immediately, to eliminate the danger and, if necessary provide the employee with a written record of the report.

The *NWT and Nunavut Safety Acts* and *NWT and Nunavut Mine Health and*

*Safety Acts* state that no person can dismiss or take any other disciplinary action against a worker who is complying with the Act or Regulations. An employee can, however, be temporarily assigned to a different job. If the employee believes he/she has been disciplined, discriminated against, or fired from his/her job for the above reasons, he/she has the right to file a complaint with a Safety Officer or Mine Inspector. The employee's rights are discussed in the *NWT and Nunavut Mine Health and Safety Acts* (Section 19) as well.

In most cases, the dangerous situation can be quickly corrected. This is not always the case. If work must be stopped for a long period of time or an entire plant must be shut down, an employer may call a lay-off. At that point the normal lay-off arrangements employees have made with their employers would apply. The employer can not lay a worker off because the worker refused to do dangerous work.

The employer can temporarily assign a different person to your job. This can only be done if the employer ensures that the other worker will not be exposed to the danger. If the job is dangerous to an employee because he/she is not qualified to perform it, the employer can satisfy the requirement by assigning a qualified worker to do it. The new worker should be told about the refusal to do the job, and he/she also has the right to refuse to do it.

If the employer does not agree that there is a hazard, or if acceptable corrective measures cannot be agreed upon, the employee should contact the Workers' Compensation Board Prevention Services Division. An officer/inspector will investigate the situation and will make a decision about what, if any, corrective action should be taken. Both the employee and the employer must comply with the officer/inspector's decision.

## **IF AN ACCIDENT OCCURS**

All fatal accidents are to be reported immediately to the Workers' Compensation Board.

If a serious accident occurs which results in - or might have resulted in - serious injury to a worker, the employer is required to notify the nearest Prevention Services Office (Yellowknife, Rankin Inlet or Iqaluit). This is in addition to any notification he/she might have to give to the Workers' Compensation Board's Client Services Division or to local authorities.

An accident of a serious nature means any incident involving an employee with potential for death or critical injury, whether or not the injury occurs, and includes:

- a) a major structural failure or collapse of a building, bridge, tower, crane, structure, scaffold, temporary construction support system, or excavation;
- b) an uncontrolled spill or escape of a toxic or hazardous substance;
- c) an accidental contact with an energized electrical conductor;
- d) the bursting of a grinding wheel;
- e) a premature or accidental detonation of explosives; or

f) a concussion, major blood loss, serious fracture, unconsciousness or an amputation.

An officer/inspector may investigate the incident. The employee and the employer are required to co-operate with the officer/inspector, providing any requested information. Statements to the officer/inspector are confidential and are admissible in court as evidence.

An employee should, for his/her own protection, check to see that the employer has notified the proper authorities. He/she can call the Workers' Compensation Board directly, and the call will be handled confidentially. He/she can even ask to remain anonymous.

## **LET'S COOPERATE**

The employee and the employer can co-operate to make the work site a safer and healthier place.

One way to do this is through a joint work site occupational health and safety committee.

The committee is made up of workers and management. It meets to inspect the work site, discuss accident and illness prevention, and promote health and safety programs. Committee meetings are held during normal working hours.

The Chief Safety Officer has the power to require that a committee be established. VOLUNTARY FORMATION OF COMMITTEES IS ENCOURAGED HOWEVER. If both workers and management agree on the arrangement, then it is more likely that the committee will be effective. Safety Officers will assist if you wish to set up an occupational health and safety committee.

Under the *NWT* and *Nunavut Mine Health and Safety Acts* (Sections 11 and 12), joint occupational health and safety committees are required where there are more than 15 persons employed at a mine.

## **THESE ACTS HAVE TEETH**

It is clear that safe work sites, appropriate training, and following safe procedures are in the worker's and employer's best interests. Where necessary, however, all four of the Acts make provisions to enforce compliance with health and safety measures.

### Safety Officers and Mine Inspectors

The *NWT* and *Nunavut Safety Acts* and General Safety Regulations are enforced by Safety Officers, while the *NWT* and *Nunavut Mine Health and Safety Acts* and Regulations are enforced by Mine Inspectors. Both officers and inspectors have the authority to enter and inspect your work site. They may take samples of products, readings and photographs and they may ask to examine and copy relevant documents.

If an officer/inspector believes a work site is dangerous, he/she may order the

work stopped immediately or may call for corrective measures. He/she may also order that a particular piece of equipment be shut down if he/she believes it is unsafe to operate.

## **APPEAL TO CHIEF SAFETY OFFICER OR CHIEF INSPECTOR OF MINES**

Where any person is aggrieved by a direction or decision of a safety officer or mine inspector, he/she may, within thirty days from the date of direction or decision, appeal to the Chief Safety Officer or Chief Inspector of Mines.

For more information, refer to section 16 of the *NWT and Nunavut Safety Acts* (industrial application) or section 32 of the *NWT and Nunavut Mine Health and Safety Acts* (mines application).

Where an appellant is dissatisfied with any direction or decision of the Chief Safety Officer or the Chief Inspector of Mines, he/she may appeal to a judge of the Supreme Court.

For more information, refer to section 17 of the *NWT and Nunavut Safety Acts* (industrial application) or section 33 of the *NWT and Nunavut Mine Health and Safety Acts* (mines application).

An appeal to the Chief Safety Officer, Chief Inspector of Mines, or to a judge does not operate as a stay of any direction or decision given by a Safety Officer, Mines Inspector, or the Chief Safety Officer, or Chief Inspector of Mines.

## **OFFENCES AND PENALTIES**

Under the *NWT and Nunavut Safety or Mine Health and Safety Acts*, severe penalties can be levied for failing to comply with the applicable Acts or with an order written by a Safety Officer or Mine Inspector. The penalties can be either fines and/or imprisonment. Such penalties are another cost element, which can be eliminated with a good health and safety program. In addition to fines, there are other costs associated with violations. These could be costs incurred when, for example, the business is shut down until the violation has been corrected, or until equipment is retrofitted to meet standards. As with the indirect costs discussed above, these additional costs can amount to much more than the fines.

In the Northwest Territories and Nunavut, every employee or employer or person acting on behalf of the employer or person in charge of an establishment who is guilty of an offence under these Acts, or the Regulations is liable, on summary conviction, to fines, imprisonment, or to both.

## **FOR FURTHER INFORMATION**

Contact your nearest Workers' Compensation Board Prevention Services Division:

#### Yellowknife Region

Workers' Compensation Board  
Prevention Services  
Box 8888  
Yellowknife, NT X1A 2R3

Telephone: (867) 920-3841  
Facsimile: (867) 873-0262

#### Baffin Region

Workers' Compensation Board  
Prevention Services  
Box 669  
Iqaluit, NT X0A 0H0

Telephone: (867) 979-8500  
Facsimile: (867) 979-8501

#### Keewatin Region

Workers' Compensation Board  
Prevention Services  
Box 368  
Rankin Inlet, NT X0C 0G0

Telephone: (867) 645-5600  
Facsimile: (867) 645-5601

Copies of all Acts and Regulations are available for a nominal cost from:

Canarctic Graphics

Telephone: (867) 873-5924  
Fax: (867) 920-4371

or at the Government of the Northwest Territories website at [www.gov.nt.ca](http://www.gov.nt.ca)

Information on obtaining copies of the *Nunavut Acts* and Regulations is available from the Nunavut Department of Justice at 1-867-979-6000.

### **THE LAW GOVERNING OCCUPATIONAL HEALTH AND SAFETY**

The *NWT* and *Nunavut Safety and Mine Health and Safety Acts* are also known as statutes. They are the basic, legal authority for occupational health and safety law in the Northwest Territories and Nunavut. These Acts are adopted or amended, in a public forum, by the Legislative Assembly. They set out the general rights and responsibilities, basic requirements and fundamental principles of occupational health and safety.

The NWT and Nunavut General Safety and Mine Health and Safety Regulations

are created under the authority of these Acts, but cannot exceed this authority. After being reviewed by the public, the regulations are adopted or amended, in a private setting, by the Cabinet. These regulations set out the details of occupational health and safety law, including performance objectives and specific procedural rules.

Safety codes or standards consist of information prepared and distributed by non-government agencies, such as the Canadian Standards Association. Safety codes and standards may be used to form the opinion of an occupational health and safety officer or mine inspector. They may be accepted as evidence in a court of law. Safety codes and standards may also be adopted by regulation, in which case they become part of the Regulations.

Codes of practice contain information prepared by an employer for the work site. The creation of a code of practice is usually required by regulation. A code of practice contains useful information, including detailed instructions for the use and safe operation of equipment, and the use or application of hazardous materials or designated substances. All workers affected by a code of practice must be informed of its content and instructed and trained in its application. It may be used to form the opinion of an occupational health and safety officer, or it may be accepted as evidence in a court of law.

### **Other Items Governing Occupational Health and Safety**

Guidelines are information prepared and distributed by the Workers' Compensation Board's Prevention Services Division. They may include data sheets, recommended practices and other non-regulatory information. Guidelines may be used to form the opinion of an occupational health and safety officer/mine inspector, or they may be accepted as evidence in a court of law.

Safe operating procedures consist of information prepared and distributed by employers, in co-operation with workers - usually through their respective safety associations or unions. Safe operating procedures include recommended practices and other non-regulatory information. They may be used to form the opinion of an occupational health and safety officer/mine inspector, or they may be accepted as evidence in a court of law.