



Supporting Inclusive Resource Development (SIRD)
East Africa
TRAINING PROGRAM: MODULE 4
JUNE 2019



THE CANADIAN
BAR ASSOCIATION



Global Affairs
Canada Affaires mondiales
Canada



LAW SOCIETY OF KENYA



Tanganyika
Law Society



UGANDA LAW SOCIETY

OCCUPATIONAL HEALTH AND SAFETY IN CANADA: OVERVIEW/HISTORY

**John P. Andrews
(Retired) Oil & Gas Lawyer**

**Formerly of the Canada-Newfoundland and Labrador Offshore Petroleum
Board**

These materials are provided for information purposes only and are not legal advice



OCCUPATIONAL HEALTH AND SAFETY

OVERVIEW

- Economic Growth/Poverty Reduction/Technology Transfer
- Hazardous working conditions
 - Exposure to contaminants/pollution
 - Accidents
 - Occupational diseases
- Collective Efforts of Governments, Industry and Employees
 - Rules
 - Operation
 - Training



DEVELOPMENT OF OHS LAWS IN CANADA

- 1976 Royal Commission (Mines)
 - Discussion of internal responsibility
- 1997 Westray Mine Public Inquiry
 - Focus on internal responsibility
 - “Paramount Consideration”
 - Criminal negligence in serious injury or death
- Performance Based Regulation
- Right to Know
- Right to Meet
- Right to Refuse Unsafe Work



WORKPLACE HAZARDS & CAUSES OF “INCIDENTS”

- Physical Hazards
- Ergonomic Hazards
- Biological Hazards
- Chronic Health Effects
- Psychosocial Hazards

Organisational Inadequacy (identify/assess risk)

Personal inattention (industry/employee)

Inadequate work standards and/or procedures



JOINT OCCUPATIONAL HEALTH & SAFETY COMMITTEE

- Internal Responsibility System
 - Training
 - Issue-Driven / Regular Meetings
 - Share Information
 - Obligation for employer notices
 - No Legal Responsibility

- Duties and Responsibilities
 - Employer
 - Worker



HAZARDOUS MATERIALS

- Workplace Hazardous Materials Information System (WHMIS)
 - Education
 - Communication
 - Logistics
- “Workplace”
 - Common Areas
 - Transportation Systems
- Right to Refuse Unsafe Work





THANK YOU