

PARKS AND OPEN SPACE ALLIANCE



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AWARENESS & UNDERSTANDING OF WORKPLACE/LIVING GREEN INFRASTRUCTURE INSPECTION EXPECTATIONS AND OBLIGATIONS

Background

The Occupational Health and Safety Act's (OHSA) obligation to conduct regular workplace inspections can become complicated when the workplace has no defined walls or roof. Ontario's living green infrastructure is vital to the social, economic, environmental and recreational needs of millions of people. These same areas are also considered a workplace for thousands of Ontarians. To understand the growing level of responsibility for the inspection for trails, woodlots, parks, play areas, sports fields (to be referred to generally as "living green infrastructure") the Parks and Open Space Alliance (POSA) provides the following general awareness information on the subject of living green infrastructure inspection expectations and obligations. It is our purpose to raise an awareness of this issue in an effort to prompt employers to consider how they will address this growing concern for the future.

The Occupational Health and Safety Act (OHSA) -

The OHSA defines a workplace as "*any land, premises, location or thing at, upon, in or near which a worker works*". This definition seems clear that green infrastructure is to be included in all aspects of workplace OHSA compliance requirements. The Act requires that all areas of the workplace be thoroughly inspected annually and additionally, that the workplace or part of a workplace be inspected once per month. To meet the obligations of the OHSA these inspections are to be conducted by members of the Joint Health and Safety Committee (JHSC). The objectives of such inspections are:

- To identify and record potential or actual hazards in the work or workplace
- To identify any hazards which require immediate attention and correction
- To ensure that existing procedures are adequate
- To recommend corrective action where necessary

Often confusion arises on the actual role of the JHSC. To be clear, the JHSC is merely a check and balance on how dedicated supervisory staff is in maintaining a safe work environment. Some members believe that a safety inspection is the sole responsibility of the JHSC when in fact the role of the JHSC inspection is to conduct a check and balance on how well the systems are working in a specific environment. Basic ongoing health and safety is not to be left for the JHSC visit!

Job Hazard Analysis - Additionally, the OHSA has an expectation that the employer is developing and maintaining Job Hazard Analysis (JHA) specific to the tasks workers are to perform. The JHA is designed to focus on the relationship between the worker, the task, the tools, and the work environment. The intent is to identify hazards and take steps to eliminate or reduce the risk level during each work day.

Incident Reporting - The OHSA further requires that workers report all incidents in the workplace. An incident is best described as a "near miss" a situation where a worker was almost injured. Often workers are reluctant to report such events or they are found to be time consuming to complete. These documents are an important link in the ongoing internal risk assessment while providing insight on where training funds should be invested.

Insurance Carrier Risk Reduction Assessment - The relationship between the owner and their insurance carrier is one of "blind trust". The insurance carrier believes that the owner is conducting their operations in a manner that meets or exceeds industry standards for public safety – "duty of care".

Liability can occur when this duty of care responsibility is not met. POSA partners have supported the efforts of insurance carriers by collectively providing guidance to members on how to reduce such liability through regular inspection, ongoing maintenance and repair. Recording these activities has proven to be an important part of this activity. General ongoing risk assessment is a responsibility of all workplace partners. Including your insurance company as part of your risk reduction plan is a diligent approach to creating and maintaining a safe work and play environment.

Conclusion

Ontario has millions of hectares of trails, woodlots, parks, play areas and sports fields and to expect the JHSC to inspect every corner of these environments is unreasonable, however, this does not reduce the obligation to inspect. Ongoing workplace inspection and risk assessment is an obligation of all workplace parties that can only be achieved by applying a 5-step approach to risk reduction.

Step One: *the JHSC must determine how best to approach a review of work being conducted in living green infrastructure areas controlled by the owner. How comprehensive such inspection will be will be influenced by the next 4-steps.*

Step Two: *train all workers to identify risk and how to take appropriate action when hazards are discovered. Creating a culture of ongoing risk assessment, follow-up and recording of action taken are keys to creating and maintaining a safe work and play environment.*

Step Three: *create and maintain Job Hazard Analysis for all workplace tasks. These documents always include an assessment of the actual work environment which lends to the overall goal of creating and maintaining a safe work and play area.*

Step Four: *promote the obligation and benefits of reporting workplace incidents. These reports are legally required under the OHSA which create vital tools in developing a plan of risk reduction for worker and user safety.*

Step Five: *include your insurance carrier in your risk reduction planning activities. The expertise of the insurance company is a valuable asset that is often*

over looked by middle management. Access to these professionals are often included as part of your insurance policy relationship.

Ontario's living green infrastructure is a workplace that must be considered as part of the overall obligations of the OHSA. Inspection requirements of park buildings, play structures and equipment are easily defined, however, the ongoing inspection of other living green areas is more complicated. To what extent the JHSC needs to be involved in inspection should be included on the next JHSC meeting agenda.

For more information feel free to contact any POSA member at:

- Ontario Parks Association
www.ontarioparksassociation.ca
- Ontario Recreation Facilities Association
www.orfa.com
- Sports Turf Association
www.sportsturfassociation.com

The Parks and Open Space Alliance (POSA) is a coalition of the Ontario Parks Association, the Ontario Recreation Facilities Association and the Sports Turf Association dedicated to strengthening parks and open space practitioners through professional development, recognition and advocacy. For more information, please visit:

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