EXECUTIVE SUMMARY

In 2012, the Minister of Family Services and Labour launched a comprehensive review of workplace injury and illness prevention in Manitoba. The review is intended to build upon progress to date and form the basis of a renewed prevention strategy. One element of the review was a series of consultations with employers, labour and other stakeholders undertaken by the province's Chief Prevention Officer (CPO).

The CPO consultations dealt with an array of prevention-related issues, focusing primarily on the prevention services and programs provided by the Workers Compensation Board (WCB) and the Workplace Safety and Health (WSH) branch of the Department of Family Services and Labour.

BACKGROUND

Over the past decade, WSH and the WCB have, in collaboration with employer, labour and other stakeholders engaged in a wide range of activities and initiatives aimed at achieving two key goals:

- Improving the safety and health of Manitoba's workplaces; and
- Strengthening Manitoba's safety and health culture.

Major initiatives undertaken during this period include the updating of Manitoba's safety and health legislation and regulations, the establishment of a legislated prevention mandate at the WCB, increased resources for enforcement, implementation of a broad-based public awareness and education campaign, and the expansion of training, consultation and information services. Substantial progress has been made, including the adoption of modern safety and health prevention practices in Manitoba workplaces, a major reduction in reported injuries and the injury rate and significant progress on transforming attitudes toward prevention.

As the five-year WSH/WCB Joint Injury and Illness Prevention Strategy launched in 2008 came to a close in 2012, the opportunity arose to assess the status of our prevention efforts, identify opportunities for improvement, and establish a strategy for moving forward to take prevention to the next level.
On April 27, 2012, the Minister of Family Services and Labour announced a review of workplace injury and illness prevention in Manitoba. The CPO was tasked with seeking stakeholder input on prevention services and programs provided by the WCB and WSH, and making recommendations for improving those services and programs.

The CPO’s review of prevention took place alongside several other parallel projects that together will lay the groundwork for the development of a new workplace safety and health prevention strategy for the Province of Manitoba. These other processes included:

- A review of *The Workplace Safety and Health Act* led by the WSH and the Minister’s Advisory Council on Workplace Safety and Health.
- A review of the WCB’s rate-setting system by an external expert.

Consultations for the prevention review were undertaken by Don Hurst, CPO and Dave Gaudreau, MLA for St. Norbert (representing the Minister of Family Services and Labour) with the assistance of WCB staff members David McCrady, Rick Rennie and Sue Roth. Meetings were held with stakeholders throughout the province, including employers and industry/sector organizations, workers and organized labour, governments, safety organizations and technical experts, as well as with staff of the WCB and WSH. Appendix A provides the full list of stakeholders consulted. This document summarizes the stakeholder feedback obtained during the CPO’s consultations.

### CURRENT PREVENTION SERVICES AND PROGRAMS

WSH and the WCB collaborate in a number of areas, including planning public awareness campaigns, providing WSH resources, information-sharing, and other prevention services.

The WCB provides training and consultation through its SAFE Work Services Department, funds and supports the Safe Work public awareness initiative, supports a number of industry-based safety associations, funds research on prevention issues, and provides information and guidance to employers on prevention matters. The WCB also promotes prevention through the experience rating system which ties employers’ WCB assessment rates to their claim records and through the incentive program for employers in construction who meet the requirements for a Certificate of Recognition (COR) accredited safety and health program. The WCB also fully funds the operating budget of WSH.

WSH undertakes compliance and enforcement activities such as workplace inspections, the issuing of improvement orders and investigating complaints and serious incidents, and prevention services such as client services, training, the development and dissemination of
information and prevention resources, support for safety and health committees and programs and focused support for agricultural safety and young worker safety.

A list of WCB and WSH prevention services and programs is provided in Appendix B.

STAKEHOLDER FEEDBACK

A. CLARIFYING ROLES AND MANDATES

There was considerable discussion about the delivery of prevention services and about the relationship between "prevention" and "enforcement." It is recognized that enforcement activities such as inspections, improvement and stop-work orders, and the system of penalties and prosecutions are an essential component in the continuum of prevention services aimed at reducing workplace hazards. However, both internal and external stakeholders tend to view these measures as different from other proactive prevention activities such as training, public awareness, consultation and information services.

Some stakeholders suggested that the prevention and enforcement mandates should be more clearly defined as there is confusion about which agency does what, and where they should turn to obtain prevention services. Some were of the view that enforcement staff at WSH may be conflicted in their roles as they must both enforce The Workplace Safety and Health Act while also providing education and other forms of assistance. WSH staff consulted during the review reiterated this view, pointing out that they often feel unable to properly serve these multiple roles. Appendix C summarizes the various structures in other jurisdictions.

B. TRAINING

Stakeholders agreed that training is an integral part of prevention and that there is value in the training delivered by both the WCB and the WSH. At the same time, there was also widespread agreement that WSH/WCB training needs to be expanded and modernized in terms of delivery. Specific concerns that arose repeatedly include:

- The need for all workers to understand their basic rights and responsibilities under the workplace safety and health legislation;
- The need for more training for owners and supervisors so they are aware of their responsibilities and how to fulfil them;
- The need for more flexible delivery models to overcome geographic and other barriers, such as delivery online or outside normal business hours, and to enhance collaboration with regional partners;
• The need for training to be more strategic, by linking it to priority concerns and to issues identified through injury patterns, compliance activities, and other factors; and
• The need for increased training to address service gaps for workers, supervisors and employers in rural, northern and remote communities, smaller workplaces, and newcomers.

There was also some discussion about the role of private training providers. Many stakeholders believe these providers can play an important role, but would like to see more oversight to ensure the quality of the training. Stakeholders recognized that while some sectors have their own well-developed systems for providing training, others have minimal infrastructure and will for the foreseeable future rely on public or private providers. Labour feels strongly that there should be a continuing role for government and/or the WCB in the provision of training and in the establishment of standards, to ensure that all WSH training focuses on prevention and meeting the requirements of the WSH Act.

C. PERFORMANCE MEASUREMENT AND EVIDENCE-BASED PLANNING

Many stakeholders expressed a desire for more complete and appropriate leading indicators of progress on prevention. A particular concern was over-reliance on the time-loss injury rate as a measurement tool and as the basis for setting employers' WCB assessment rates (i.e., the "Experience-Rating" system). Some suggested that this increases the likelihood of under-reporting of injuries in order to control costs, while others thought it did not adequately take into account positive progress on prevention.

There was widespread agreement that there should be a more holistic approach that takes into account both leading indicators (such as the establishment of positive prevention practices and the results of compliance activities) as well as lagging indicators (such as reported incidents, injuries and injury rates). It was suggested this would provide a more balanced approach for evaluating progress, establishing priorities, planning activities, and allocating resources.

D. INFORMATION AND RESOURCES

Stakeholders noted that there exists a vast range of information and resources dealing with prevention issues, including fact sheets, brochures, videos, statistics and technical materials. Some of this is developed and provided by the WCB and WSH, while some is developed by other agencies both within and outside Manitoba. Stakeholders pointed out that the huge quantity of diverse information is often difficult to navigate, and there is a need for a more user-friendly system that allows them to easily identify and access the information that they need. Many also pointed to the need for more resources provided in the language of newcomers.
E. VULNERABLE WORKERS

Many stakeholders pointed out that while considerable progress has been made on prevention in recent years, there continue to be certain groups of workers that are particularly vulnerable.

**Young Workers**

Young workers were a constant theme raised in the consultations. Some stakeholders pointed out that there is evidence many young workers are beginning to internalize the prevention message. Also, the progress has been made on reducing injuries among young workers. However, it was also pointed out that young workers often do not receive sufficient WSH training, do not have adequate experience to recognize workplace hazards, and are less likely to ask questions about safety. There was broad agreement among all stakeholders that young workers need more WSH training before they begin working, and many suggested that workplace safety and health should be a mandatory part of the secondary school curricula.

**Newcomers**

Prevention for newcomers was another issue raised by many stakeholders. It was pointed out that newcomers often face language and cultural barriers in understanding and exercising their rights, and often do not feel secure enough in their employment or their resident status to ask questions or raise concerns. Stakeholders agreed that newcomers need safety-and-health training and the supports necessary for them to exercise their rights and responsibilities. It was also noted that employers also face challenges in incorporating newcomers into an unfamiliar work environment and ensuring they are aware of and follow rules and procedures.

**Other At-Risk Workers**

In addition to youth and newcomers, many stakeholders pointed out that other workers are particularly vulnerable to workplace hazards. This includes those in especially hazardous workplaces, and in workplaces with a poor safety and health culture and a poor record on prevention.

F. PUBLIC AWARENESS

Feedback on the SAFE Work public awareness campaign was very positive. Stakeholders were aware of the television and radio ads, billboards, and website materials. The television ads were singled out as particularly effective, and many were recalled long after they aired. Some
stakeholders were of the view that in the past some ads focussed too much on worker behaviour and not enough on hazardous workplace conditions. Others suggested that leadership plays an important role, and leaders in WSH should be highlighted more in building public awareness.

G. EMPLOYER/INDUSTRY-BASED SAFETY ASSOCIATIONS

There are currently five industry-based safety associations in Manitoba and several other sectors are currently exploring options for the establishment of safety initiatives/programs for their industries. Appendix D provides a list of safety associations across Canada.

Many stakeholders see value in the services provided by safety associations, and were supportive of the idea of expanding the network associations in Manitoba. Stakeholders see these associations as a way of increasing the capacity to deliver prevention services and providing services that are directly relevant to the member employers. Many employers view associations as a possible avenue to WSH program certification such as exists in the construction industry through the COR program.

Employers view the safety association model as the key to ensuring that prevention efforts are responsive to industry’s specific needs. Agriculture, oil and gas, and manufacturing were among the sectors identified as potentially benefitting from such an association. It was also recognized that there may also need for a vehicle to deliver prevention services in sectors that may not currently have the capacity to do so and do not have an association. External prevention services providers have indicated an interest in addressing this need.

Labour has concerns regarding the effectiveness and accountability of safety certification programs developed and managed by industry. Specifically, they are concerned that the lack of worker representation and input on program content, weak accountability processes and lack of appropriate oversight can lead to an over-emphasis on behavior-based safety practices that focus on modifying worker behavior, rather than controlling and addressing hazards and meeting the requirements of the WSH Act as a means of preventing injuries and illness.

Employer groups also expressed concerns about the costs to establish and maintain associations. There was some discussion about whether individual employers’ financial support for such a system should be voluntary or mandatory. Employers tended to opt for the voluntary approach, while other stakeholders supported a mandatory system on the grounds that it would be more comprehensive and have a greater impact.

H. SMALL EMPLOYERS

Many stakeholders pointed to the need for more support and assistance for those operating small businesses. These employers often lack the resources to deal with WSH issues, and rarely
encounter staff from the WCB or WSHD. They sometimes perceive legislative requirements as unduly onerous given the nature of their business.

**I. THE BUSINESS CASE FOR PREVENTION**

Stakeholders agree that there is a moral and legal argument for protecting workers, but they also hold that prevention efforts would be more successful if business owners were more tuned into the business case for safety, including the direct and indirect costs that result from workplace injuries. At the same time, many stakeholders noted that employers often focus too much on reducing claim costs rather than genuine prevention, since it is claim costs that are the major driver of premiums. It was suggested that the WCB’s rate-setting model could use a range of prevention indicators in promoting the business case.

There were also calls for an expansion of the COR incentive model that currently applies in the construction industry. This issue is closely linked to the question of expanding safety associations, as these are the bodies that often administer certification. At the same time, many stakeholders were of the view that there needs to be diligent independent oversight to ensure the integrity of the certification process.

**J. EMERGING ISSUES**

Stakeholders expressed concerns about a number of emerging workplace safety and health issues. For example, while it is recognized that government has introduced and enhanced regulations regarding harassment and violence in recent years, these continue to be areas of concern. In addition, workplace mental health is a key issue for many stakeholders who would like to see more done to recognize and address this matter.

Don Hurst
Chief Prevention Officer
January 30, 2013
APPENDIX A - STAKEHOLDERS CONSULTED

Employer Organizations

- Manitoba Employer's Council
- Canadian Federation of Independent Business
- Winnipeg Construction Association
- Manitoba Home Builders Association
- Manitoba Heavy Construction Association
- Canadian Manufacturers and Exporters -- Manitoba
- Manitoba Trucking Association
- Manitoba Tourism and Education Council
- Construction Association of Rural Manitoba
- Brandon Chamber of Commerce
- Keystone Agricultural Producers
- Agricultural Manufacturing Association

Individual Employers

- Maple Leaf Foods
- Hylife Foods Inc.
- PCL Construction Ltd.
- City of Brandon
- City of Winnipeg
- Winnipeg Regional Health Authority
- Vale Thompson
- HudBay Minerals (Flin Flon)
- WCB Self-Insured Group (Canada Post, MPI, Manitoba Lotteries, CN Railway, and Manitoba Hydro)

Labour

- Manitoba Federation of Labour
- United Federation of Food & Commercial Workers - Local 832 (Winnipeg and Brandon)
- United Steel Workers (Winnipeg, Brandon, Thompson & Flin Flon)
- Manitoba Building Trades Council
- Manitoba Teachers Society
- Manitoba Government Employees Union
- Canadian Union of Public Employees Manitoba
- Manitoba Nurses Union
- Brandon Labour Council
- Interviews with individual safety and health committee worker representatives
Community Organizations and Associations

- MFL Occupational Health Centre
- Farmers with Disabilities
- Manitoba Northern Sector Council
- Manitoba Keewatinowi Okimakanak Inc (MKO)
- Richard Nordrum and Ralph Brown - Consultants

Workplace Safety & Health Associations, Services, Consultants and Others

- Construction Safety Association of Manitoba
- WORKSAFELY (Manitoba Heavy Construction Safety Association)
- Mining Accident Prevention Association of Manitoba
- Safety Services Manitoba (Formerly Manitoba Safety Council)
- SAFE Workers of Tomorrow
- SAFE Hospitality (Restaurants)
- Retail Safety Council of Manitoba
- Westman Association of Safety Professionals (Brandon)
- 1 Life Safety and Health (Private Consultant)
- Ministers' Advisory Council on Workplace Safety and Health
- WCB Industry-Based Services Gap Analysis - Stakeholder Advisory Committee

Workplace Safety and Health Division

- Management Team
- Safety and Health Officers
- Prevention Services Branch (Client Services, Training, Youth and Agriculture Safety)
- Occupational Hygiene Officers
- Mine Safety Branch

Workers Compensation Board of Manitoba

- Rehabilitation and Compensation Services
- Assessment Services
- Policy, Research and Quality Assurance
- SAFE Work Services
- Occupational Disease Unit
- Communications
APPENDIX B - PREVENTION SERVICES PROVIDED BY WSH AND WCB

WCB

- **Partners in Prevention**: A consultation program that provides employers with assistance in areas including prevention program assessments, safety climate surveys, and recommendations for improvement.
- **Injury Prevention Basics**: Workshops on to increase awareness of the importance of prevention and an understanding of the basic requirements, challenges and strategies for creating a safe and healthy workplace.
- **SAFE Work Reports**: Providing individual workplaces with information about their injury and claims records, with the ultimate goal of helping to monitor and improve prevention.
- **Client Services**: Responding to requests from employers and others for information, analysis and guidance on prevention.
- **Research and Workplace Innovation Program**: A grant program that funds and supports projects dealing with prevention, return to work, and compensation related issues, with the ultimate aim of identifying practical solutions.
- **Supporting Industry Safety Associations**: Using special levies to fund industry-based safety associations in the construction, heavy construction, agricultural manufacturing, and hospitality/restaurant sectors.
- **Experience Rating System**: Promoting the business case for prevention by administering a rate model that ties employers' assessment rates to their injury records.
- **COR Incentives**: Promoting the business case for prevention by providing a WCB rate discount to employers in construction who meet the standards for the Certificate of Recognition in safety and health.

Workplace Safety and Health

- **Workplace Inspections**: Targeted and random inspections aimed at identifying and addressing injury and illness hazards (12,838 inspections in 2011/12)
- **Promoting Compliance**: Issuing Improvement Orders, Stop Work Orders and Administrative Penalties to address non-compliance, and referring violations for prosecution when appropriate.
- **Investigations**: Investigating serious incidents and complaints about unsafe/unhealthy conditions.
- **Occupational Hygiene**: Conducting surveillance of potentially harmful chemicals and other substances, and monitoring potential exposure.
- **Information Services**: Developing and providing newsletters, bulletins, guidelines, website material, audiovisual resources and other materials.
• **Training:** WSH Programs and Committees; Musculoskeletal Injury Prevention; Violence and Harassment; Inspecting Your Workplace; Investigating Incidents; Chemical and Biological Hazards; Blasting and use of Explosives; WSH for Small Business; Supervisors and Safe Work; and Safe Work Procedures.

• **Consultation Services:** Assisting with the functioning of WSH committees and programs, and with establishment of new committees/programs.

• **Young Worker Safety:** Providing various prevention services targeted at youth, through the Young Worker Safety Coordinator.

• **Agriculture Safety:** Providing various prevention services targeted at agriculture, through the Agriculture Safety Coordinator.

• **Epidemiological and Related Services:** Tracking and monitoring incidence of work-related illnesses through the Chief Occupational Medical Officer.

• **Ergonomics:** Providing assessment and advice services to address potential ergonomic hazards.

• **Client Services:** Responding to requests from employers and others for information, analysis and guidance on prevention.
1. "All in One" Model: In six jurisdictions (BC, NB, PQ, NT/NU, PEI, YT) compensation, prevention and enforcement are the combined responsibilities of the respective WCB agencies.

2. Government/WCB Shared Prevention and Government Enforcement Model: SK has a model similar to MB’s in that prevention is shared between the WCB and the Department of Labour, while enforcement resides solely with the Department. Recently, SK has been moving towards making certain prevention functions such as training, public awareness, and outreach solely the responsibility of the WCB.

3. WCB Prevention and Government Enforcement Model: In NS and NL, the Department of Labour is in fact concerned almost solely with enforcement, while the WCB takes on most prevention activities.

4. Government Enforcement and Prevention Model: In AB and ON the WCB’s prevention role is confined to administering rate incentive programs and funding the activities of the Department of Labour, which has the mandate for prevention and enforcement. In ON, an arms-length body attached to the Ministry of Labour has been established recently to coordinate prevention efforts.
APPENDIX D - SAFETY ASSOCIATIONS BY PROVINCE

**Manitoba**
- Construction Safety Association of Manitoba
- Worksafe (Manitoba Heavy Construction Association)
- Mining Association of Manitoba
- SAFE Hospitality (Food & Restaurant Industry)
- Agricultural Manufacturers of Canada (formerly Prairie Implement Manufacturers Assoc.)

**British Columbia**
- FIOSA - MIOSA Safety Alliance of BC (Food and Beverage Processing and Manufacturing)
- BC Forest Safety Council
- BC Construction Safety Alliance
- BC Road Builders & Heavy Construction Association
- British Columbia Trucking Association
- BC Association for Crane Safety
- FARSHA (Farm and Ranch Safety and Health Association)
- Enform (Upstream Oil and Gas Industry)
- Hazardous Materials Association

**Alberta**
- Alberta Association for Safety Partnerships
- Alberta Construction Safety Association
- Alberta Hotel Safety Association
- Continuing Care Safety Association
- Alberta Municipal Health and Safety Association
- Manufacturers' Health and Safety Association
- Alberta Motor Transport Association
- Enform (Oil and Gas Industry)
- Alberta Food Processors Association
- Alberta Forest Products Association
- Western Wood Truss Association of Alberta

**Saskatchewan**
- Saskatchewan Association for Safe Workplaces in Health
- Heavy Construction Safety Association of Saskatchewan Inc.
- Saskatchewan Association of Saskatchewan Manufacturers
- Motor Safety Association
- Saskatchewan Construction Safety Association
- Service and Hospitality Safety Association of Saskatchewan
Enform (Oil and Gas Industry)

**Ontario**
Workplace Safety North (Mining, Forestry and Pulp and Paper, and Printing)
Public Services Health & Safety Association (Education Sector, Municipalities, Health Care, Community Services, Provincial Government and Agencies, Police, Fire and Paramedics and First Nations)
Infrastructure Health & Safety Association (Construction, Electrical and Utilities and Transportation)
Workplace Safety & Prevention Services (Manufacturing, Agriculture and Service Sectors)

**Quebec**
Association Sectorielle Paritaires - Secteur administration Provinciale (Provincial Government departments)
Association Sectorielle Paritaire - Secteur Affaires Municipales (Municipalities)
Association Sectorielle Paritaire - Secteur Affaires Sociales (Social Services)
Association Sectorielle Paritaire - Secteur Construction
Association Sectorielle Paritaire - Secteur Fabrication D'équipement de Transport et de Machines (Transportation Equipment Manufacturers)
Association Sectorielle Paritaire - Secteur Fabrication de Produits en Métal et de Produits Electriques et des Industries de L'habillement (Metal, Electrical and Skilled Manufacturing)
Association Sectorielle Paritaire - Secteur Imprimerie et Activités Connexes (Printing)
Association Sectorielle Paritaire - Secteur des Mines (Mining)
Association Sectorielle Paritaire - Secteur Services Automobiles (Auto Services)
Association Sectorielle Paritaire - Secteur Transport et Entreposage (Transportation and Storage)
Association Sectorielle Paritaire - Secteur du Textile et de la Bonneterie (Textile Manufacturing)

**Nova Scotia**
AWARE - NS (Health and Community Services)
Forestry Safety Society of Nova Scotia
Nova Scotia Construction Safety Association
Nova Scotia Trucking Safety Association
Nova Scotia Automobile Dealers Safety Association
Fisheries Safety Association of Nova Scotia
Automotive Trades Association of Atlantic Canada

**New Brunswick**
New Brunswick Construction Safety Association
New Brunswick Forest Safety Association
Prince Edward Island
N/A

Newfoundland and Labrador
Forestry Safety Association of Newfoundland and Labrador
Newfoundland and Labrador Construction Safety Association
NL Occupational Health & Safety Association

Northwest Territories & Nunavut
Northern Safety Association

Yukon
Northern Safety Network Yukon - Yukon Construction Safety Association