

**MODERNIZATION OF THE  
OCCUPATIONAL HEALTH AND  
SAFETY SYSTEM**  
**In collaboration with  
Groupe Mission**

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# MODERNIZATION OF THE OCCUPATIONAL HEALTH AND SAFETY SYSTEM

## WORKSHOP #3

# MODERNIZATION OF THE OCCUPATIONAL OCCUPATIONAL HEALTH AND SAFETY SYSTEM

## Summary of the new Bill 59 provision for establishments with fewer than 20 workers

- ▶ The liaison officer.
- ▶ The action plan.
  - ❑ Identifying the risks.
  - ❑ Prevention program: measures and timelines to correct or eliminate and control the risks
- ▶ Temporary assignments and duty to accommodate

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## The liaison officer

- ▶ Your employees should have nominated someone by now.
- ▶ The “term” is indefinite. If the employee wishes to stop acting as the Liaison Officer, he must resign with a written notice to the employer.
- ▶ If the Liaison Officer stops working for the organization, no notice is necessary.
- ▶ You need to start the nomination process without delay (there are no delays mentioned in the Law).

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## Available training for the employer and the liaison officer

- ▶ A number of organizations offer Hazard identification and Prevention measures training programs, short and long, for employers and employees involved in OHS. Just google safety and health training and you will find many.
- ▶ However, most programs focus on manufacturing industries and not that many are relevant for your kind of organizations.
- ▶ The CNESST will develop and offer specific training activities, free of charge, in the next few years. No timeline is available yet from them.

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## Risk identification at the office

- ▶ This should be completed by now.
- ▶ At home - you are responsible for your employees' safety and health when they work from home
- ▶ When driving for work (no to and from work but for work purposes)
- ▶ During an event you are organizing (could be outside, inside, and the Christmas party counts!)

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## Risk identification at the workplace and when traveling for work

- ▶ The analysis has to be done by both the Employer and the Liaison Officer, not just one of the two.
- ▶ This should be completed by now.
- ▶ You should be mostly concerned by the Ergonomic and Psychosocial risks.
- ▶ If you organize events outside, you should cover the Thermal risks. Ex: what happens if the temperature is too warm or too cold?

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## Risk identification at the workplace and when traveling for work

- ▶ You should have a policy about driving for work.
- ▶ Make sure you do not let employees drive for work in bad weather conditions.



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## Risk identification at the workplace when home is your employee's workplace

- ▶ Have your employees complete the Risk Identification Tool considering their workplace is their home.
- ▶ Have them take photos of the place, desk, chair and/or any other place, furniture and equipment they use for working from home. You have the right to request this information and the employee has the right to refuse. In this case, you should not permit the employee to work from home since you cannot measure the risks.

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## Your offices are in a rented space

When a building is used by one or more employer / occupants, the owner of the premises shall, in those parts not under the control of an employer, take such steps as are necessary to ensure the health and safety of persons working in the premises. Places that are not under the control of the occupying employer must be safe.

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## Prevention and control measures

- ▶ For each risk that you identified as a priority, an “Action sheet” covering the correction and control measures **MUST** be completed.
- ▶ Make sure the Employer representative and the Liaison Officer meet once every 3 months to review the Action sheets and the implementation of the OHS measures. Write formal minutes from the meetings, to be kept in the OHS files.

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## How does an accident or occupational disease affects your budget

- ▶ When one of your workers has an accident at work or an occupational disease, the cost of benefits related to this employment injury is attributed to your employer file. That is imputation. The imputed employer is the employer for whom the worker was employed at the time of his accident at work or the employer for whom the worker carried out work likely to cause his occupational disease.
- ▶ The cost of benefits charged to your file may **affect your insurance premium.**

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## Temporary assignments and duty to accommodate

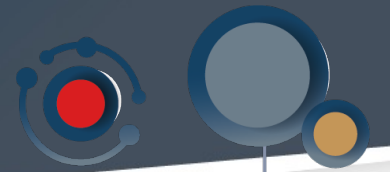
As of 6 October 2022, employers must ensure a better supervision of the temporary assignment.

When a worker returns to work after being absent as a result of a work-related accident or occupational disease, the employer must make a real and reasonable effort to allow the person to return to work. This is known as the duty of reasonable accommodation.

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## What if an employer does not respect its obligations

- ▶ Increase fines for offences under the Loi sur les accidents du travail et les maladies professionnelles
- ▶ The amount of fines is increased to discourage offences under the Loi sur les accidents du travail et les maladies professionnelles. Depending on the nature of the offence, these fines vary from \$500 to \$10,000 for individuals and from \$1,000 to \$20,000 for a legal person.
- ▶ The minimum and maximum fine thresholds are doubled for the first offence and tripled the next time.



This event was made possible with the financial support of the Secrétariat aux relations avec les Québécois d'expression anglaise.

A survey will be forwarded to you today in order to get your feedback. Thank you in advance for your participation.

Any other questions or feedback can be forwarded to [info@regdevnet.ca](mailto:info@regdevnet.ca)

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