



# Modernization<sub>of the</sub> *Workers' Compensation Act and Occupational Health and Safety Act*

## Acts modernization external advisory group meeting 10 – making it work

### Coast High Country Inn, Whitehorse

Thursday, January 16, 2020, 12:30 p.m. to 2:30 p.m.

#### Introduction

This is a summary of comments made by participants at the external advisory group session on January 16, 2020.

#### Method

Information collected from prior external advisory committee (EAG) meetings such as big issues, EAG parking lots, outreach event comments and public open house comments were divided into themes: training and education, compliance and enforcement, underserved groups, marketing, policy and partnerships. Based on these themes Yukon Workers' Compensation Health and Safety Board (YWCHSB) developed broad questions which were posed to all participants. Participants had two 45 minute brainstorming sessions to visit questions of interest (at three stations for the first session and at four stations in the second). Within each 45 minute session, participants could move amongst the stations when they were ready to.

Participant responses were recorded on poster paper. The poster paper notes are reflected in this document.





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## Training and education

### Are there certain issues or topics you want training or education on from YWCHSB?

- Prevention workshops – in-house or on-site e.g. heavy lifting;
  - Symposium;
  - Compliance (rights and responsibilities, consequences, due diligence etc.);
  - Administration and supervisors;
  - Accommodation devices;
  - Return to work statistics;
  - Safety communications audits (observe and make recommendations);
  - Occupational therapist services (evaluation);
    - E.g. set up of ergonomic stations in the workplace.
  - Legislation – ongoing with updates;
    - Hot line to access information immediately; and
    - Texting.
  - Video training options; and
    - Accessible to all (with captioning); and
    - Options and modalities based on the audience.
  - Orientation for appropriate parties to new policies e.g. Workers' Advocate Office.
    - Process?
- Basic YWCHSB roles – public education campaign;
  - Overview of core services; and
  - Entry point for workers and employers.
- Develop materials for specific industries;
  - Workers safety, restaurants, schools, post office etc.
- Mental health;
  - Emergency workers;
  - Bullying and harassment; and
  - Orientate service providers on proposed regulations i.e. Human Rights Commission.
- Consider community needs;
  - Connect with Yukon College; and
  - In communities, train the trainer and online training.
- Canadian Standards Association (CSA) standards orientation;
  - Wellness promotion;



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- Critical incident support services;
- Industry specific adaptations;
- Orientation on accommodations ;
- Identifying psychological injuries;
- Human rights issue/obligations; and
- Training and equipment.
- YWCHSB/occupational health and safety (OHS) to orient students at school;
  - Rights and responsibilities;
  - Career education; and
  - Online certification for high school students.
    - Interactive and independent; and
    - Specific subjects and/or industries.
      - On the land; and
      - Yukon specific.
- Identify higher risk sources of injury and create a targeted campaign;
- Demonstration of competency;
  - Continuum of skills to better evaluate proficiency; and
  - Documents due diligence.
- Community of practice – peer support; and
  - Ongoing meetings on specific topics.
- International Organization for Standardization (ISO)/CSA standards – establishing and promoting.
  - Measure to provide reference point.



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## How would you like to receive training and education from YWCHSB?

- Work with other jurisdictions;
- Work with other organizations in Yukon;
  - I.e. Northern Safety Network Yukon (NSNY)/Human Rights Commission/Yukon government Corporate Health and Safety.
- Delivery;
  - YWCHSB 101;
  - By core service;
  - By injury sources; and
    - By hazard types.
- Orientate stakeholders of policy development and changes;
- Balanced and blended training;



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- Online and in person training – complimentary;
- Scaffolding to demonstrate proficiency;
- Goal – Certificate of Recognition (COR)/rates; what does this mean? COR = lower rates?
- Efficient storage of records (privacy);
- YWCHSB 101;
  - What does a safety officer inspection look like?
  - What can the safety officer do?
  - What can I do to prevent an order or fine?
- Work with OHS/Claims on trends – focus on issues;
- Identify incidents to prevent injuries and claims;
- Provide training accessible to all learning types;
- Competency demonstration;
- Gameify learning process;
- Blended to suit diverse audiences;
- Yukon specific;
- Short and precise (15-30 minutes);
- Sequential modules;
- Safety tailgate/toolbox talks;
- Certificate of completion;
- Application recertification/professional development;
- Upgrading/continuous education and training;
- Training for supervisors on roles and responsibilities;
- Training workers;
- Ongoing/continuous conversation; and
- Conversation starters.





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## Compliance and enforcement

### How can we make enforcement more effective?

- If there is too much reporting in a certain place some people won't want to work there;
- There are concerns about reprisals for reporting injuries – especially small businesses;
- Have to ensure workers and employers understand that reporting leads to better safety practices;
  - Need more communication to employers about what OHS does and that they are approachable.
- Options for people who can't go into YWCHSB during work hours – flexibility and outreach;
- May need to have simplified, plain language communications about how to be compliant – not legislation and regulations only;



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- Could offer an audit option prior to enforcement;
  - Prevention focused, proactive and not reliant on an injury already having happened.
- Daily safety tailgates – should be happening now but are not;
- Is health and safety as a term a disservice? Working safely captures it better;
- If OHS officers don't establish a relationship with employers prior to enforcement, they will be seen as safety police;
- People want instant service – click of a button and know what they need to comply with;
- Data is gold;
- COR companies have increased reporting – decreased severity on average;
- Tie health and safety to a standard? Pick a good one;
- Some people don't like the term enforcement, yet accurate;
- Depends on what you mean by enforcement – safety management systems, audits, practices etc.;
- Room to move to an online system to increase compliance?
- Very helpful to know exactly what you will be audited on;
- The firm Blue Drop, is an example of this type of online system;
- Online approach could take mundane work away from OHS officers shoulders;
  - If OHS identifies specific things for employers to do (sort of a checklist) which could increase uptake and increase OHS resources to view compliance.
- If a regulator says you need XYZ, it makes it easier for compliance;
- More resources for OHS to follow up on audits etc.;
- Benchmark could be BC's per capita resources;
- Should have good data and trend analysis to drive targeted inspections and audits;
- Partnerships with research institutions;
- Incident tracking system (WorkSafeBC system);
- Positive reinforcements, some respond better;
- Penalties with an education piece included;
- Promote safe workplaces as an example;
- Positive audits with education – work with employers so they know what they need;
- Positive actions; and
- Fines based on scale of business.



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## How can we help workers and employers understand the value of compliance with our Acts and Regulations?

- Workers' don't always know that their workplace has received an order;
  - Communication.
- Educate workers on process of inspections and how to deal with OHS orders properly;
- Obligation to explain OHS order to whole workplace;
- Proper training for JHSC reps;
  - Still, some get training and how expertise doesn't make it back to the rest of the workplace.
- Many workplaces don't understand the internal responsibility system;
- Include language in close-out meetings so workers know what happened and what they need to do;
- Need internal responsibility system education in multiple and accessible formats;
  - Venn diagram.
- Simple language;
- Relationship building with workers and employers;
  - Connect with people on an emotional level to explain why they should stay safe.
- Employers have been anti-reporting for a long time – need to break that cycle;
- Explain how increased safety can save employers money;
  - Value of human resources.
- Promoting business with good safety rewards;
  - Graphs and charts showing injuries matrix.
- YWCHSB hotline;
- Simple language and education;
- Web orientated information;
- Instant service and information;
- Spreading information about fines and how they come about;
  - Highlight responsibilities; and
  - Could have penalty recipient's work to educate others in industry.
- Actions from the firm Westray, led to more public knowledge of OHS implications;
- Need to understand the rate of compliance;
- Marketing campaigns to reinforce value of compliance;
- WorkSafeBC – psychological injury prevention campaign ;





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- Recognition of employers with great safety records – something aspirational;
- Campaign for workers too – don't be a bystander;
- Info sheets for workers;
  - Know your rights; and
  - How to report.
- Information sheets for employers;
- Short videos can be very powerful; and
  - YouTube etc.; and
  - What you can expect when a safety officer shows up at your workplace.
- Publish information on bad performance.





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## Underserved groups

### How can we help people in underserved groups be healthier and safer in the workplace?

- Temporary foreign workers and new immigrants;
  - Language barriers;
  - Limited understanding of health and safety regulations;
  - Cultural differences, may be from a country where OHS doesn't exist;
  - Make training and education part of the immigration process; and
  - Fear of deportation makes these workers vulnerable to abuse by employers.
- Domestic service workers;
  - High risk group for abuse;
  - Fear of deportation if they complain(work visa is linked to employer often);
  - Easy to take advantage of these workers as they live in the employer's home and may not know they are entitled to breaks, vacation etc.; and
  - Educate employers on their responsibilities.
- Smaller non-profit groups;
  - Often serving/working with high risk groups; and
  - Often have under-developed health and safety programs for their own staff.
- Youth;
  - In-school education;
  - Embed the outreach program into curriculum;
  - Often employed in high risk industries as general labour(construction); and
  - Make sure young people know their rights.
- Disabled workers;
  - Return to work assistance programs;
  - Accommodation in workplaces; and
  - Accessibility issues.
- Captive workers;
  - How can we increase wellness in camps;
  - Elevated risk to women in these settings, particularly indigenous women; and
  - How to counter-act the negative effects of shift work.
- Review by industry to better understand the risks;
- Seasonal workers;



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- Often work very long stints without a day off.
- On-boarding program for new employers to educate about regulations, legislation, rights, responsibilities, etc.;
- Make information easy to understand;
- Use plain language;
- Provide easy to understand, common use translations of legal terms;
- Make translations in multiple languages available;
- Literacy issues;
  - Use simple language.
- How to balance being a family member, employer and/or worker;
- Provide interpretive services;
- Education in multiple methods;
  - Use pictures.
- Deaf/Hard of Hearing;
  - Employers require training on how to assist a deaf person in their business;
  - Hard of hearing people have different needs than deaf community;
    - Closed captioning and quiet environments needed.
  - There are multiple forms of sign language; not everyone uses American Sign Language (ASL);
  - Indigenous people have their own sign language; and
  - Significant barriers to getting into the workforce at all for deaf people.
    - Communication issues; can't express their skills and abilities;
    - Problems just getting an interview; and
    - Lack of interpreter services.
- More assistance from OHS for other health and safety professionals; and
  - Guaranteed follow-up = increased compliance.
- First Nations corporations.
  - Need assistance with enforcement;
  - How to educate members of boards and committees; and
  - How to educate participants in employment programs.



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## Marketing

### How do you get people to buy in to workplace health and safety?

- Incentive program – tied into a health and safety management system (HSMS) that impacts rates when implemented;
  - ISO/CSA standard required and subject to audit (define this); and
  - Enforcement program tied into incentive program.
- Certification logo;
- Social (Digital);
  - Education;
  - Programs;
  - Legislation;
  - Information;
  - Plain language; and



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- Arm chair service.
- Health and Safety for dummies;
- Emphasis on digital delivery;
- Focus on senior management;
  - C-Level (senior management) committed to health and safety; and
  - Lead by example.
- Health and safety committees and representatives buy in via training opportunities;
- Clear understanding of the roles and responsibilities of health and safety committees and representatives;
- Video delivery;
- Expand the scope of delivery;
- Social media ads – personalize;
- Safety awards – these are physical and recognize good practice;
- Buy in through empathy/compassion/connection/personalized;
- Make the risk REAL;
- Expose the emotional and social connection of human beings;
- Social impact and values;
- Long term effects of minor injuries;
- Shift the employers perspective when thinking about the cost of reporting;
- How reporting assists prevention (Data);
- Educational posters? Where are they now?
- Personal benefit of HSMS in the professional world (fishing trips, camping etc.);
- Enabling corrective action through reporting;
- Conference sponsorship (makes YWCHSB visible);
  - Speakers;
  - Education;
  - C-Level (tied to leadership involvement in health and safety systems management and promotion); and
  - CEO charter.
- Find the leaders of the leaders;
- Return on investment of HSMS;
- OHS comes to the workplace;
  - Online;
  - Print;





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- Education;
- Workshops;
- Outreach; and
- Culture.
- Collaboration (increased buy in via collaboration with employers and workers);
- Grade school (culture);
- Yukon perception of fewer regulations and rules;
- Social pressure;
- OHS – audience relevant materials = buy in;
- Applied health and safety – 101 terminology;
- Language matters;
- Simplify; and
- Enhancing accountability through collaboration.





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## How would you like to receive information from YWCHSB and what information would you like?

- Customized approach based on the topic;
- Move away from the generic;
  - Communications;
  - Materials; and
  - Increase awareness.
- Information on YWCHSB services;
- Social;
  - Snippets/Highlights;
  - Tool kits;
  - Practical resources (20 minute videos); and
  - Visual and linked to extended content.
- Layered information;
- Clear points of entry;
- Mix of digital and print materials (learning styles);
- App;
  - Does everything; and
  - Live chat/chat line.
- Timely information;
- Audiences;
  - Expand languages.
- Video based content;
  - Captioning in different languages.
- Outreach;
  - Safety audits; and
  - Compliance.
- Process verification (in-house training);
- Education and training (practical information);
- Non-punitive model?
  - OHS/Outreach available?
  - Communicate to employers; and
  - Consultation with outreach and OHS.
- Newsletters;



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- Communicate to employers – reporting;
- Sector specific;
- Real information on health and safety/technology/thought leadership;
- Format: Digital and print;
- Frequency: quarterly; and
- Audience: employers and workers.
- Worker information section;
- Work with publishers in Yukon (partnerships);
- Celebrate the success stories;
- Relevant communications;
  - Regulations;
  - Topics;
  - Leaders; and
  - Data driven.
- Transparency of information;
- Communications blasts on regulations and policy changes;
- Training for case managers;
- Workers' Advocate partnership with YWCHSB on policy changes and in general;
  - Prefer digital/print/phone call when communicating changes.
- Where is information available?
  - Website; and
  - Social media.
- Yearly publication of policy and regulations changes;
- How to receive information;
  - Email;
  - Handheld devices;
  - Transition of print to digital – innovation;
  - Texting; and
  - Apps – regulations/training/claims.
- Website;
  - Self-contained (regulations); and
  - Mobile friendly and responsive.
- Distribution lists (customized communications);
- Website information for health and safety representatives – practical;



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- Industry specific information;
- Phone hotline for Q&A;
- Managerial due diligence;
- Short, specific training modules (targeted);
  - Terminology; and
  - Roles and responsibilities.
- Consistent, clear communications; and
- What does documentation look like?







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## Policy

What would an ideal policy development process look like? What involvement would you like to have?

- Engage community members by travelling there;
- Consider our unique population/climate realities rather than just relying on what other jurisdictions do;
- Both broad, global participation in consultation as well as focused, target groups;
- Increased transparency;
  - What is the issue; and
  - How are we proposing to solve it?
- Consider duration of appointments to stakeholder groups;
  - Burn-out/interest.
- Provide more time for discussions where in-depth information is needed;
- Symposium/workshop(similar to EAG brainstorming sessions) to hear from stakeholders about what our policy priorities should be;
- Include industry specialists in engagement so policy reflects the reality of work;
- Making engagement public could dilute interest;
- Use existing group membership lists to get message out re: consultation;
- Use radio, other advertising;
- Workers' Advocate Office involvement;
- Ensure different views/perspectives are included;
- Reach out to groups who have similar or overlapping audiences for their perspective;
- Bring stakeholders in after priorities established;
  - Engage at various stages of the process including conceptual stage and post-drafting, specific language.
- Engage a cross-section of experiences, executive, management, front line;
- Engage clients on how policy changes may impact them; and
- Include Workers' Advocate Office in training opportunities.





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## Partnerships

How do we build stronger relationship with partners? How do we establish new partnerships with members of our community, particularly First Nation workers and employers?

- Community of practice;
  - Get people involved in health and safety;
  - Forging relationships;
  - Solutions to common problems; and
  - Not limited to health and safety – opportunity for cross learning.
- Invitation to anyone interested;



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- What about the private sector? How to get involved in training and partnerships?
- YWCHSB can take the initiative on this;
- Day time event? After work? Weekend?
- Point is to learn from one another;
- Annual health and safety conference in Yukon;
  - Target health and safety people;
  - Different topics each summit; and
  - Geared towards worker reps and OHS reps.
- First Nations;
  - Indigenous trainers in communities; and
  - Include cultural components.
- First Nations governments fall under federal OHS and prevention;
- Indigenous people deliver training = increased First Nations participation;
- Greater understanding of culture = more respect;
- Communities outside of Whitehorse have large indigenous culture – bring this culture into the workplaces = stronger relationships;
- Over time safe workplaces with personal protective equipment (PPE) have increased;
- Acceptance breeds safe workplaces through respect – this is foundational;
- Needs to start with people feeling comfortable;
- Different types of ideas from indigenous and other abled will increase knowledge;
- Increase awareness and sensitivity;
- Have different groups as part of the development of the training;
- How does health and safety affect all different types of workers, including indigenous and other abled;
- Community champion to push this agenda and partnership forward;
- YWCHSB would need to ensure all types of groups are included to ensure all perspectives are heard;
- Need recognition that this may be time consuming during initial stages;
- More people are educated the more welcoming they become;
- More welcome people feel equals more involvement;
- Celebration of differences;
- Cannot depend on people in the south for decisions in the north;
- North has the ability to be a leader in health and safety;



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- No decisions without participation;
- Ask different groups, how do you want to be involved? What is important to you?
- Go to community and build relationships – meet people where they live;
- Establishing partnerships with all organizations in the community;
- Road is here and open and YWCHSB has to lead;
- If YWCHSB takes the initiative the community will buy in;
- How can the Act be applied without visiting the communities and seeing a different world and perspective?
- Target specific partners e.g. non-government organizations (NGO's), employers. Target small groups and start building relationships;
- Talk the talk and walk the walk;
- Going in person much more impactful than website. More personal;
- Sharing of experiences and questions = solutions;
- Have human connection, networking and sharing of ideas;
- Supporting one another; and
- Computers have reduced community connection.