



2017-10-02

The Honourable Christina Gray
Minister of Labour
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Renewing Alberta's Occupational Health and Safety System:

Thank you for the opportunity to provide input on the review of Alberta's Occupational Health and Safety system.

The Continuing Care Safety Association (CCSA) applauds the Minister on the review and willingness to examine Alberta's enforcement and prevention activities under the Occupational Health and Safety Act, which has not been comprehensively reviewed since 1976.

It is important first to provide some context on the CCSA and the continuing care sector, particularly around the emerging pressures in this sector and the CCSA's role in nurturing a positive health and safety system within the continuing care sector.

The Continuing Care Safety Association:

The CCSA was established in 2005 with the overall objective of providing industry specific health and safety training to the Alberta continuing care sector. Through these efforts, the CCSA enables employers to save on WCB premiums, reduce injury costs, increase efficiency and improve the overall long-term well-being of employees. The CCSA works in partnership with Alberta Labour and the WCB to manage Certificate of Recognition (COR) and Partners in Injury Reduction (PIR) programs for the continuing care and supportive living industries in Alberta. As a result of these partnerships the CCSA has contributed toward a reduction in WCB rates overall for the industry relative to that experienced in other provinces.

The role of the CCSA is largely focused on prevention, which depends upon quality, responsive and relevant education and training programs, as well as a system culture that values safety. Quality information is essential to developing relevant programs geared to the safety and protection of staff.

The CCSA programs are funded primarily through an industry levy administered by the WCB. In years prior to 2016, CCSA programs were supplemented by grants provided by Alberta Labour (e.g. CCSA Injury Reduction Program), but those grants have now been eliminated. The reduction in these grants have had the impact of reducing the overall staff complement



available for education and training programs, as well as research. CCSA has conducted research on the link between resident behavior and injury rates. Education and training play an important role in ensuring long-term system sustainability through prevention and development of a culture that supports and creates safer environments. Within that context it is important to ensure that education and training investment is sustained and in alignment with need and to mitigate risk.

The Continuing Care Sector:

Growing Demand: The continuing care sector, with over 40,000 staff, is a significant ‘safety’ sector that will continue to experience growing demand and a need for responsive education and training programs. Enhancing overall health and safety of staff within the sector requires an ongoing, targeted and sustained approach. Emerging pressures on the sector present many challenges. Although Alberta has the youngest population in Canada with approximately 505,000 seniors (12 percent of its population), the population of seniors is expected to double to over 1 million by 2031. There are currently 24,000 continuing care spaces (long-term care and supportive living) in Alberta and the demand for spaces is expected to grow significantly over the next two decades in response to an aging population, Albertans living longer, smaller family size and reduced support from families.

The expectations of families and residents also present many challenges to ensure consistency in health and safety systems. Far from being a homogenous system, the continuing care sector provides a full spectrum of services from long-term care through varying levels of supportive living. Aging in place will add to this complexity. Decentralized and variable delivery models present greater challenges to achieve economies of scale, but also present a challenge for education and training and ensuring consistent quality assurance and risk mitigation.

Cost Containment: One of the key objectives of the CCSA is to ensure that resources are utilized effectively and efficiently to contain cost pressures. Clearly, given the demand within the continuing care sector, it is important to target education and training programs based on informed analysis, and also, to engage in partnerships to achieve the necessary cultural engagement in safety.

Complexity of Continuing Care Safety and Risk: We can expect more challenging environments for both residents and staff. Albertans are living longer and as a result the complexity and nature of illnesses experienced by residents is increasing. For example, the incidence of Alzheimer’s or dementia exists in 59 percent of all long-term care residents. The growing incidence of these chronic conditions, along with mental illness, and higher incidences of multiple chronic conditions, will require responsive approaches to safety of staff and residents, along with appropriate training strategies. Staff is experiencing much greater exposure to violence in the workplace than in the past.



According to a report published by Statistics Canada, 34% of nurses working in hospitals or long-term care facilities reported physical assault from a resident over a one-year period and 47% reported emotional abuse during that same timeframe. The report also noted that the clinical area of practice made a difference in the reported incidents, with those working in long-term care and geriatrics reporting the highest at 50%. Evidence suggests that the risk to health care workers experiencing violent, aggressive or harassing behaviour is nine times greater than any other industry. The CCSA has also conducted important research showing the relationship between residents with complex needs, injury rates and delivery models.

Dynamic and Diverse Staff Environment: The continuing care sector is diverse and very dynamic with turnover levels that present challenges for education and training relating to safety. The staffing complement, comprised of over 80% female, is aging and experiencing challenges to attraction and retention. The challenges for recruitment and retention are even greater in rural and remote areas of the province, with a growing need and cost to provide accessible education and training. Continuing care providers need to rely on human resources drawn from outside Alberta and Canada, creating challenges to ensure that all employees are using consistent best practices to maximize staff safety and mitigate risk. Within a dynamic and diverse sector it is important that investment in education and training efforts be sustained and that programs evolve to meet changing needs.

Another limiting factor are the challenges for employers in creating full-time employment for a large percentage of the workforce; there are significant scheduling challenges as well as restrictions, often meaning that many staff hold down two or three jobs to enable full-time employment. As high as 75% of the workforce within many continuing care providers are part-time, but piece together full-time work through work for multiple employers.

The recent Health Quality Council report on continuing care would attest to the growing demands on the sector and that resource constraints are having an impact on outcomes and service levels, for example, wait times to find a continuing care space. Fewer staff coupled with growing complexity and age of resident lead to staff undertaking greater risk and physical exertion and incurring injury.

A further complicating factor to the risk and safety environment is the fact that families are also present within the environment, either as volunteers, caregivers, or present while care is being provided. This contribution is valued, but also means that safety of volunteers and family members must also be considered. This further adds to the complex nature of the safety environment.

Systems Based Approach:

Any strategy to renewing the occupational health and safety system needs to reflect a systems-based approach that is responsive to employee safety and differing risks depending upon the

industry. Although there may be a tendency to focus on those industries with higher risk of death or catastrophic consequence (e.g. pressure vessels in the oil and gas industry), it is also important to focus on those industries with less obvious or visible injury and illness. Although the bulk of injuries often have less profile within the continuing care sector, efforts to reduce the economic cost of illness and injury within the sector is critical.

Balanced Approach: As indicated in the diagram that follows, and as referenced in the OHS discussion paper, achieving positive and long-term results within the occupational health and safety system requires a balanced approach that includes:

- an accountable and outcomes-focused system established through clear standards and governance;
- responsive education and training focused on prevention; and
- compliance.

The CCSA has maintained a fairly narrow focus on safety related matters, and has not opened up 'Pandora's Box' regarding occupational health and safety. Outbreaks, new diseases, infections, public emergencies, will continue to be a growing concern without any resources or infrastructure to adequately respond to the emerging risks with appropriate education and training.

Generally, while significant effort may go into establishing standards within any one sector, if those standards are not well understood or communicated and/or there are insufficient education and training programs, then the standards are unlikely to be attained. Similarly, if there are well-developed standards in place, but limited consequences associated with non-compliance, there is less incentive to participate in, and likely to be less than optimal participation in education and training programs.





System outcomes can best be achieved through a balanced and collaborative approach that relies upon the coordinated efforts of: Alberta Occupational Health and Safety, as the regulator and standard setter and compliance monitor; the safety associations and their greater emphasis on industry-specific education, training and awareness programs; and the WCB with a responsive and objective approach to claims management.

Quality Information and Sharing of Information: For each of these partners to do their jobs, there needs to be better sharing of information and better use of diagnostic tools with which to identify gaps and risks. Standards need to be informed by information just as education and training programs need to be informed by quality information.

Separation of Responsibilities and Clear Accountabilities: System success requires clearly understood roles and accountabilities. There is also a need to ensure an objective approach and high integrity system which the public, employees and employers perceive as being safe, fair and equitable. This means that there need to be certain checks and balances within the system.

While there may be some consideration to consolidating and centralizing all standard setting, training, education, and compliance activity under one roof under OHS, we don't believe this would lead to better outcomes and, in fact, is more likely to create distortions within the safety system owing to inadequate checks and balances. To put things simply, it would be easier for employers to view the system as being unfair if the same entity setting the standards shows up to deliver the education and help build a quality management system, subsequently shows up to audit the employer, and then later issues administrative penalties or other measures aimed at enforcing compliance.

The Continuing Care Safety Association supports a system in which there are clearly understood roles and accountabilities as well as a separation of responsibilities to ensure objectivity and differentiation of purpose. A balanced approach to occupational health and safety reflects a system in which there is adequate and sustained investment in education and training programs.



Discussion Paper Response to Specific Questions:

Responsibility:

1. ***How can Alberta Labour help employers and workers achieve compliance with the OHS legislation and reduce illness and injury?***
 - This needs to be seen as a visible priority from government and requires a well communicated and systems based approach, in which roles and responsibilities are clearly understood. It is important that employers perceive and understand the system to be objective and fair. This requires differentiation of responsibility. OHS is the regulator and standard setter and provides the overall policy and accountability framework. Similarly, the WCB has an important role to play in claims management and sharing the necessary information to help inform education and training programs. The safety associations have a critical role to play in prevention through their education and training programs.
 - It is important to recognize the lead role the CCSA can play in partnership with others to help achieve system sustainability, effective use of resources and better accountability. As we use a systems based approach and understand the various components, we need to be realistic in understanding what are the desired behaviors that we are trying to achieve versus unintended consequences of too much emphasis on any one component of the system, for example, trying to shape the system through compliance and penalties.
2. ***Compliance activities are based on the principles of being progressive, proportional and effective. What can Alberta Labour do to make its compliance activities and processes more effective?***
 - Compliance efforts need to exist in more industries than oil and gas and construction. While there is a tendency to focus on those industries with the more visible injuries (death and catastrophic consequence), it is important to ensure that appropriate investments are made in the social program sectors to prevent injury. The social program sectors are more complex than many of the industries dominated by trades and codes. The apprenticeship system, and permits and inspections within the trade dominated industries allow for more discrete activities. A system of penalties is easier to introduce and to determine when actions have not been in alignment with codes and standards. Given the complexity of the continuing care sector, a system of administrative penalties and ticketing is unlikely to achieve positive results. We would recommend that better results can be achieved through better investment in education and training and a focus on shifting the culture.
3. ***The internal responsibility system is the underlying principle of OHS legislation. How can Alberta's OHS legislation strengthen the internal responsibility system?***
 - It is important that roles and responsibilities be clarified in legislation. Without clarity of roles and responsibilities, there is diffused accountability. Enhanced information and transparency of information also supports greater accountability.



- The system needs to know and understand that the Government stands behind and is supportive of health and safety in the workplace and is prepared to address situations of non-compliance in an objective and balanced way.
 - Again, it is also important to ensure that functions are clearly differentiated within the system and that there is a separation of functions, for example, education and training should be differentiated from enforcement, audit and compliance.
- 4. How can Alberta Labour improve the effectiveness of its compliance tools and reduce administrative burden?**
- Better sharing of information. Better use of information would enable a risk-based approach to audit and compliance.
 - Work more closely with the safety associations. Audit and compliance programs could be adjusted based upon whether an employer has in place a Certificate of Recognition or not.
- 5. How can Alberta Labour ensure that OHS legislation is current, relevant and technically valid?**
- It is important to ensure that there is an ongoing dialogue with safety associations, industry and WCB to enable sharing of information.
- 6. How can Alberta rebalance the internal responsibility system to prevent over-reliance on government enforcement in the absence of internal monitoring systems in the workplace?**
- Be sure to leverage the full capacity of the safety associations. Better use of information and more transparent use of information. A balanced approach that also demonstrates government is prepared to address non-compliance. Greater focus on industries outside oil and gas and construction.

Worker Engagement:

- 1. What should Alberta Labour do to ensure that Alberta workers have all the same rights as workers elsewhere in Canada?**
- Ensuring that the OHS Act, Regulations and Code are updated in a more timely way. The imbalance also exists as a result of government not sufficiently demonstrating in many industries that it is prepared to act on non-compliance.
- 2. The OHS Act prevents any person from taking action against a worker who acts in compliance with the OHS legislation. How could Alberta Labour strengthen worker protection against reprisal?**
- Greater education and awareness would help contribute to a more positive environment. Establishing reporting mechanisms to enable workers to report and allow for reports to be monitored. Education and training programs that are focused on appropriate levels in the organization and an engagement strategy within the continuing care sector that is informed by metrics.



3. What could Alberta Labour, WCB, industry, labour organizations, employers and workers do to improve worker participation in OHS?

- In healthcare, especially the continuing care industry, where an increasing proportion of workers are new to Canada, many don't fully understand the OHS system or best practices. Dispersed delivery across many providers and in rural areas also mean that there are different approaches depending upon the work site. Additionally, there needs to be a greater emphasis on increasing the essential skills of workers in the workplace. Many employees in continuing care do not currently have the essential skills required to understand the OHS environment.
- Resource constraints have led to an environment that values completion of a task quickly and efficiently, which is often contrary to both a resident-centric system and one that maximizes employee safety.

4. How might training for workers be more accessible, meaningful and useful?

- Some significant budget reductions have occurred in the last two years leaving the Continuing Care Safety Association with reduced capacity to deliver education and training programs.
- While the Continuing Care Safety Association is able to offer new education and training programs on a cost-recovery basis, employers are hesitant to embrace a fully cost recoverable fee based model, which is what would be required to broaden accessibility.
- Development of on-line education and training programs are always an option, and the Continuing Care Safety Association is well positioned for this: however, this would require up-front investment.
- The continuing care sector is a complex sector. It is important to ensure that education and training programs evolve to meet changing needs and recognize the varying levels of capacity, skills and expertise within the system. The level of intervention (training and education) required needs to be responsive to different organizations taking into consideration type of organization (long-term care, supportive living), regional factors, organization size, and be geared to management as well as front-line staff.
- With the growing importance of targeting and ensuring employee participation in programs, the CCSA will need to consider approaches to delivery that would allow for its programs to be building blocks or components of a credential. A safety passport within the sector streamlines the efficiency and effectiveness of safety education and furthers standardization.

Prevention:

1. Which Alberta Labour illness and injury prevention programs and resources have been most effective?

- The CCSA's Injury Reduction Program and Partnership in Injury Production programs have been effective. However, it is important to ensure that investment is sustained. The sector is extremely dynamic and education and training is an ongoing effort rather than one that can be achieved through a time certain effort.



2. Which new programs and resources could be introduced to prevent illnesses and injuries in Alberta?

- Within Continuing Care, programs focused on violence of residents against staff; best practices in response to violence in the workplace; mental health and wellness in the continuing care workplace.
- Given the high degree of exposure to physical injury, it is important to prepare and deliver programming geared to prevention of violence.
- It is also important for the continuing care sector to develop and introduce an engagement strategy that focuses on all levels within an organization, including leadership.
- There is a significant differentiation of safety risks as you look at the different levels of care from home care to long term care. As some of the workforce moves throughout the continuum of care the CCSA could develop education materials to help transition workers as they move throughout the system.

3. How might province-wide prevention activities be improved? What would be the role of Alberta Labour, employers, workers, WCB, and health and safety associations in this?

- It is important to ensure that safety associations are fully leveraged in their education and training and knowledge of the industry they represent. The funding model needs to be revisited to ensure that funding is available for program development and delivery.
- WCB information are lagging indicators based upon events that have already occurred. It is important to be proactive and to work with organizations early on before problems occur based upon quality information and need.
- A much better use of information and development of better metrics with which to assess gaps.

4. What actions should be taken to improve health and safety training for priority groups such as inexperienced, vulnerable and young workers?

- A more effective approach to onboarding, orientation and delivery of programs to newly hired individuals would be beneficial. Better funded outreach to rural areas is required.

5. What can be done to improve the perception of, and behaviours related to workplace health and safety risks?

- Education and training programs play a critical role, not just geared to front-line staff, but also, leadership within organizations. We should also be prepared to be transparent with information, including quality information on the types and incidences of injury.

6. How do the COR/PIR program and health and safety associations fit into the overall occupational illness and injury prevention activities?

- The COR/PIR program is a great help to assist employers with a minimum good health and safety system for the workplace. The COR/PIR should serve as a foundation for employers to do more. Again, better use of information should supplement the COR. Best practices need to be better communicated and understood.

Once again, we thank you for the opportunity to provide feedback on this important review. We would appreciate the opportunity for further discussion or clarification.

Sincerely,



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Continuing Care Safety Association

CC: Jeff Parr, Deputy Minister
Blair Phillips, Chair, CCSA