

## Chapter 1-Introduction

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### MULTIPLE CHOICE

1. How long have occupational injuries and illnesses been with us?
- only in modern society
  - only since the Industrial Revolution
  - throughout history
  - since the introduction of worker compensation legislation

ANS: c

PTS: 1

REF: 6

2. Which of the following is NOT a principal right of workers articulated by the Royal Commission (Justice Ham) on the Health and Safety of Workers?
- the right to refuse dangerous work without penalty
  - the right to be compensated for workplace accidents
  - the right to know about hazards in the workplace
  - the right to participate in identifying health and safety problems

ANS: b

PTS: 1

REF: 7

3. What is the employer responsible for?
- preparing a written occupational health and safety policy
  - training managers in the recognition and control of unsafe work environments
  - creating the MSDS
  - a and b

ANS: d

PTS: 1

REF: 12

4. Why do some managers lack commitment to the implementation of OH&S programs?
- Managers just don't care about safety.
  - Health costs are visible.
  - Managers may not have been trained to recognize unsafe conditions.
  - Managers feel that health and safety is overemphasized

ANS: c

PTS: 1

REF: 13-14

5. Benefits of effective OH&S programs include which of the following?
- The employer gains economically through a reduction in direct and indirect costs.
  - Unions gain through their improved public image.
  - Employees gain through reduced risk of work-related injuries and illnesses.
  - a and c

ANS: d

PTS: 1

REF: 14-15

6. Why is OH&S almost exclusively managed under the human resources function?
- Safety requires legislative compliance.
  - Safety is primarily a labour relations issue.
  - Safety is an organizational issue.
  - Safety is an engineering issue

ANS: a

PTS: 1

REF: 16-17

7. Which of the following is NOT a principal right of workers?
- the right to refuse dangerous work without penalty
  - the right to participate in identifying and correcting health and safety problems
  - the right to know about hazards in the workplace
  - the right to refuse wearing safety equipment that is uncomfortable

ANS: d

PTS: 1

REF: 7

8. OH&S is an integral part of HRM and is linked to all of the following HRM functions EXCEPT which one?
- legislation
  - Job evaluation
  - orientation and training
  - labour relations

ANS: b

PTS: 1

REF: 16-17

9. When charged with a safety offence, a company's only defence is that the company took all reasonable steps to avoid the particular event. How is this defence referred to in legal terms?
- due process
  - reasonable cause
  - due diligence
  - just cause

ANS: c

PTS: 1

REF: 10

10. Which of the following regulates OH&S in Ontario?
- the Occupational Health and Safety Act
  - the Workers' Compensation Act
  - the Canada Labour Code Part II
  - the Ontario Health and Safety Act

ANS: a

PTS: 1

REF: 10

11. Which of the following regulates OH&S in Canada?
- the Workers' Compensation Act
  - the Occupational Health and Safety Act
  - the Canada Labour Code
  - the Federal Agency and Health Act

ANS: c

PTS: 1

REF: 7

12. What sorts of indirect costs can result from injuries and other incidents?
- damage to property and stock
  - expenses for hiring and retraining workers
  - Negative publicity
  - lost-time expenses

ANS: c

PTS: 1

REF: 9-10

13. What is the main purpose of OH&S?
- to recognize and expose hazards
  - to assess and expose hazards
  - to recognize, assess, and control hazards
  - to prevent accidents from ever happening

ANS: c

PTS: 1

REF: 5

14. What do statistics show about workplace fatalities?
- They are on the increase
  - They are on the decrease
  - They are not a concern
  - Canada's rates are the same as the rates in other countries

ANS: a

PTS: 1

REF: 4

15. What is most health and safety legislation in Canada based on?
- a. ministry enforcement
  - b. the internal responsibility system
  - c. the external responsibility system
  - d. industry self-regulation
- ANS: b PTS: 1 REF: 13

## **TRUE/FALSE**

1. A lost-time injury is a workplace injury that results in the employee missing time from work.
- ANS: True  
PTS: 1  
REF: 4
2. In Canada, approximately 1,000 workers each year die as a result of workplace accidents.
- ANS: True  
PTS: 1  
REF: 4
3. OH&S is the identification, evaluation, and control of hazards associated with the work environment.
- ANS: True  
PTS: 1  
REF: 5
4. Occupational illness is any cut, fracture, sprain, or amputation resulting from a workplace accident.
- ANS: False  
PTS: 1  
REF: 5
5. Occupational injury is any abnormal condition or disorder caused by exposure to environmental factors associated with employment.
- ANS: False  
PTS: 1  
REF: 5
6. WHMIS is based on the workers' fundamental right to know about potential hazards in the workplace.
- ANS: True  
PTS: 1  
REF: 7

7. The legal doctrine of assumption of risk states that when a worker accepts employment he or she also accepts all the normal risks associated with that occupation.

ANS: True  
PTS: 1  
REF: 7

8. Due diligence requires a business to foresee all unsafe conditions or acts, and requires it to take precautions to prevent accidents that can reasonably be anticipated.

ANS: True  
PTS: 1  
REF: 10

9. Continued improvement to health and safety legislation has resulted in the decline of fatalities.

ANS: False  
PTS: 1  
REF: 4-5

10. Employees of an organization are not required by law to report defective equipment and other workplace hazards.

ANS: False  
PTS: 1  
REF: 13

11. Increasing recognition of the hazards faced by young people in the workplace has resulted in youth initiatives to make sure that they know their rights and responsibilities.

ANS: True  
PTS: 1  
REF: 15

12. The careless-worker model was an early approach to workplace safety that assumed that accidents were due to worker carelessness.

ANS: False  
PTS: 1  
REF: 8

13. The fundamental duty of every employer is to take every reasonable precaution to ensure employee safety.

ANS: True  
PTS: 1  
REF: 12

14. The newer approach to workplace safety that relies on the co-operation of both the employer and the employees is referred to as the internal responsibility system.

ANS: True  
PTS: 1  
REF: 8

15. The Westray Mine explosion that killed 26 miners was due primarily to employees violating safety procedures.

ANS: False  
PTS: 1  
REF: 14

16. Smokers are absent from work more than non-smokers.

ANS: True  
PTS: 1  
REF: 11

## SHORT ANSWER

1. Describe the three principal rights that provide the basis for much of the health and safety legislature in Canada. Give an example of how these rights have impacted current occupational health and safety programs.

ANS:

- a) The right to refuse dangerous work without penalty.
- b) The right to participate in identifying and correcting health and safety problems.
- c) The right to know about hazards in the workplace.

WHMIS legislation is based on the worker's fundamental right to know about potential hazards in the workplace. Safety orientations/training and OH&S committees play a vital role in the fulfillment of the basic right to participate in knowing, identifying, and correcting OH&S problems.

PTS: 1  
REF: 6-7

2. Describe how occupational health and safety is linked to other human resource functions.

ANS:

OH&S is one of the outcomes of implementing a strategic orientation to health and safety. An OH&S management system includes strategic OH&S planning, integrating OH&S into the organization's core business practices, creating OH&S policies and procedures, implementing effective OH&S programs and initiatives, measuring performance, conducting audits and evaluations, and defining and improving systems.

OH&S is an integral part of all the HRM functions such as strategic human resource planning legislation, job analysis (e.g., identifying hazards of the job), change management, orientation and training, labour relations, benefits (e.g., providing benefits to support OH&S), performance

management (e.g., making safety a performance criterion), disability management, claims management (employer OH&S affects costs), recruitment and retention, development of policies and procedures (e.g., safe work practices), accident inspections and investigations, safety leadership, climate and culture, motivating safety behaviour, wellness practices, retention and turnover (e.g., a healthy environment enhances recruitment and retention), and strategic management.

PTS: 1

REF: 16-18

3. List four major stakeholders in OH&S. Describe the role and responsibilities of one major stakeholder in OH&S. Provide an example of a partnership initiative this stakeholder has undertaken to improve workplace OH&S.

ANS:

- Health and safety professionals
- Professional associations
- Educators
- Community associations
- Organized labour
- Employers
- Employees
- Government

**EXAMPLE:** Government: responsible for passing laws and legislation, solicit or conduct research on health and safety issues and disseminate information.

- Workers' Compensation Act
- Youth Workers Awareness Programs (increase recognition of hazards through high school curriculum)
- Research (e.g., BC leaders in chemical exposure standards)
- CCOH&S (e.g., information and databases)

PTS: 1

REF: 11-13

4. Describe the factors that underlie the need for human resource managers to understand and implement effective OH&S policies and programs.

ANS:

- New technologies have led to new health and safety concerns (e.g., repetitive strain injury and computer vision syndrome).
- The public has a decreased tolerance for work-related hazards.
- Direct and indirect costs associated with workplace injuries and illnesses are rising.
- Organized labour both ensures the proper management of workplace safety and brings emerging OH&S issues to management's attention.
- Legislation requires employers to take every reasonable precaution to ensure the safety of their employees (due diligence).
- Employers have a moral obligation to employees, their families, and the community to provide a safe work environment.

PTS: 1

REF: 8-11

5. List a minimum of three direct and three indirect costs that can result from a work-related injury or illness.

ANS:

Direct costs

- Worker's lost time
- Investigation time
- Finding/training replacement worker
- Increased WCB premiums

Indirect costs

- Potential increase in WCB assessment
- Potential fines and legal costs
- Family impact/stress
- Pain and suffering for long-term effects of injury
- Work stoppages/strikes/employee stress
- Negative publicity

PTS: 1

REF: 8-11



## PROBLEM

1. Describe Bill-C45, the “Westray Legislation,” which went into effect on November 7, 2003. What impact does this legislation have on organizations and HRMs?

ANS:

Bill C-45, the Westray Bill, is an act that amended the *Criminal Code* and established a duty in criminal law for organizations to protect the health and safety of everyone in the workplace. Bill-C45 came about because OH&S laws did not prevent the Westray Mine tragedy (in which 26 coal miners lost their lives in 1992) or punish those guilty for the disaster (owners and managers).

This was a weakness in the legal system. It was the failure of the organization to put health and safety before company profits and short-term economic gain as well as a management style and culture that emphasized production over safety. The following outlines the impact of this new law:

- It states that “the employer must take reasonable steps to prevent bodily harm to any person arising out of work.” (217.1)
- It proposes severe penalties of up to 10 years imprisonment for bodily harm and life imprisonment for death if an employer fails to protect the H&S of the worker.
- It broadens the scope of who is responsible for worker OH&S to all levels of management and everyone else who directs the work of others.
- Organizations (i.e., owners, senior officers, directors, and managers) can be charged with criminal negligence if they fail to maintain an appropriate standard of OH&S in the workplace.
- It broadens all legislation to address (ensure protection against) any current or unresolved workplace health problems (not just disasters and deaths) that can range from second-hand smoke to stress. Employers must not expose workers to the risk of illness, disease, or death.
- It supports the unions’ historical fight for worker health and safety and their raising of workplace OH&S concerns (United Steel Workers <http://www.uswa.ca>).
- Training was not provided prior to the Westray disaster. This new legislation supports the importance of OH&S training, which is emphasized in all OH&S jurisdictions. It supports OH&S legislation (BC Workers Compensation Act, Part 3, Division 3, General Duties of Employers, 115) that states that “every employer must provide to the employer’s workers the information, instruction, training and supervision necessary to ensure the health and safety of those workers in carrying out their work and to ensure the health and safety of other workers at the workplace.”
- It supports provincial or territorial and federal legislation requiring employer due diligence through the implementation of all the elements of an OH&S program. Due diligence requires a business to foresee all unsafe conditions or acts, and requires it to take precautions to prevent accidents that can reasonably be anticipated. An ongoing OH&S program that controls specific hazards in the workplace forms the basis of due diligence.

- An employer that has a minimum of the following OH&S program elements required by the BC Occupational Health and Safety Regulation (Occupational Health & Safety Regulation: Part 3, Section 3.3), in effect and working well, is acting with due diligence.
  - Statement of aims and responsibilities
  - Inspection of premises, equipment, and work
  - Written instructions
  - Management meetings
  - Investigation of accidents/incidents
  - Maintenance of records and statistics
  - Instruction and supervision of workers
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- It supports the importance of the strategic management of OH&S (education, legislative compliance, integration with other human resource functions, cost containment, safety leadership and culture, and managing change).

**Justice Richard's Report**

*The following link provides a report of the Westray Mine Public Inquiry by Justice K. Peter Richard.*  
<http://www.gov.ns.ca/lwd/pubs/westray/execsumm.asp>

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[http://www.parl.gc.ca/37/2/parlbus/chambus/house/bills/government/C-45/C-45\\_4/90234bE.html](http://www.parl.gc.ca/37/2/parlbus/chambus/house/bills/government/C-45/C-45_4/90234bE.html).

PTS: 1

REF: 4-18