

**BIG CHANGES  
TO WORKPLACE  
HEALTH AND  
SAFETY LAWS:**



# **WHAT AUPE MEMBERS NEED TO KNOW**

A BILL 30 PRIMER

On Dec. 15, 2017, Bill 30: *An Act to Protect the Health and Well-being of Working Albertans* passed in the Alberta Legislature. It amends the Occupational Health and Safety Act and Workers' Compensation Act, which governs the Workers' Compensation Board (WCB).

Alberta's Occupational Health and Safety Act sets minimum workplace safety standards for the province. Prior to Bill 30, the Act lagged behind other provinces' OHS legislation, which had not been updated since 1976.

The bill evens the playing field, ensuring employers are held to regulations and use their influence to facilitate worker-led health and safety. Bill 30 also holds the government accountable for publishing more publicly accessible information gathered during OHS investigations, and reviews OHS law every five years.

## **HOW BILL 30 HELPS WORKERS**

### **ADDRESSES THE EFFECTS OF WORKPLACE INJURIES BY:**

- Improving WCB benefits for spouses and children of workers killed on the job, and benefits for young workers injured on the job.
- Improving retirement benefits for injured workers and recognizes the impact injury-related issues have on retirement savings.
- Providing better coverage for psychological injuries.
- Prioritizes return-to-work for injured workers, who will get first priority for their old position (if medically capable of performing the work) or new positions, accommodated to fit their needs.
- Banning employers from firing workers because of injuries within first six-months of returning to work.
- Establishing an Occupational Disease and Injury Advisory Committee to look at trends in occupational disease studies and apply findings to the workplace.
- Defining all parties' roles in OHS. For example, temporary staffing agencies are now obliged to guarantee three things:
  - The worker assigned to an employer is capable of performing tasks safely.
  - The employer will protect the worker's safety.
  - The worker will be equipped with appropriate personal protective equipment (PPE) required for the job.

### **GRANTS WORKERS MUCH NEEDED CONTROL IN THE CLAIMS' PROCESS BY:**

- Removing insurable yearly earnings cap of \$98,700, giving injured workers access to benefits that reflect their expected annual earnings instead.
- Allowing the review body, established by the WCB Board, to grant workers interim relief while a decision is under review or appeal.
- Forming an independent Fair Practices Office to help workers address problems falling outside the formal claims process.

### **HOLDS EMPLOYERS RESPONSIBLE FOR INJURY PREVENTION BY:**

- Requiring health and safety training adaptive to workers' needs. Ensures training happens before the worker performs any job, either new job activity at the same site, or if they are moved to a new site or area in the workplace.
- Preventing workplace violence and discrimination.
- Ensuring supervisors are familiar with the OHS Act and report all harmful and unsafe worksite acts/conditions to the employer, who must also report all near-miss incidents to OHS (where a worker could have been seriously injured but wasn't).

### **GIVES WORKERS POWER TO PROTECT THEMSELVES BY ASSURING:**

- The right to refuse unsafe work**
- The right to know about potential hazards and how to control them**
- The right to participate in workplace safety**

### **THESE RIGHTS WILL BE FACILITATED BY:**

- Requiring worksites with 5-19 employees have a worker fill the role of health and safety representative.
- Requiring worksites with 20-plus employees form joint worksite health and safety committees to identify hazards, help resolve cases of unsafe-work refusals, help develop health and safety policies and training by providing recommendations (without reprisal) to employers, who must resolve OHS issues in a timely manner.
- Employers must cooperate with these committees and keep open lines of communication with them.
- Where there are no joint committees, employers must make all health and safety information available to workers or the on-site health and safety representative.
- When an order or notice is made pursuant to Bill 30, it's the employer's, prime contractor's, or owner's responsibility to post a copy of it in a visible place at the worksite.
- Protecting employees in more flexible work positions by obligating contractors to ensure workers, employers, or self-employed persons don't perform work that threatens their safety or others'.
- Removing the "imminent danger" requirement for a worker to refuse unsafe work.

Many of these changes take effect June 1, 2018. Between now and then AUPE will continue to develop member training in the new OHS legislation, ensuring you and your fellow workers know your rights and can continue to keep each other safe at work.

Please email [bill30@aupe.org](mailto:bill30@aupe.org) with any questions, or for more information on changes to the Occupational Health and Safety Act and the Workers' Compensation Act.