

Workplace Health and Safety Bulletin



Working Alone (Part 28 of the Occupational Health and Safety Code) — Questions and Answers

- (1) What must employers do to comply with the working alone requirements of the Occupational Health and Safety (OHS) Code?

If an employer has workers who work alone, the employer must:

- conduct a hazard assessment to identify existing or potential safety hazards in the workplace associated with working alone;
- implement safety measures to reduce the risk to workers from the identified hazards;
- ensure workers have an effective means of communication between the worker and persons capable of responding to the worker's needs in case of an emergency or the worker is injured or ill; and
- regularly contact the worker at intervals appropriate to the nature of the hazard associated with the worker's work.

- (2) Does the OHS Code apply to all workers and employers?

The OHS Code applies to all workers and employers under the *OHS Act*. Not included are those workers regulated under federal legislation, workers working in their own private dwellings and workers involved in farming and ranching.

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- (3) Do employers need to have both a hazard assessment and an effective communication system in all working alone situations?

Yes, a hazard assessment and an effective communication system are required in all working alone situations. You cannot, through your hazard assessment, decide that a communication system is not required. However, you only need to complete a hazard assessment once to cover a particular type of work and there is considerable flexibility in how you establish a communication system. Employers only need to revisit and update their hazard assessment if working conditions or circumstances change.

If for instance, your worker sells a product door-to-door, you only need to conduct a hazard assessment once to cover the hazards generically rather than for each new residence the worker visits. However, it is the employer's responsibility to ensure that contact is made at intervals determined by the hazard assessment of the working alone situation.

- (4) Do the requirements mean that employers have to provide workers who travel on the road a lot with cell phones to meet the communication requirements?

No, depending on the results of the hazard assessment, there are options other than providing cell phones to workers. Some examples are periodic call-ins to the office from a regular phone, or the use of other types of electronic communication systems.

- (5) The OHS Code 2009 requires employers to regularly contact the worker working alone. What does this mean?

In addition to the employer providing the worker working alone with an effective communication system, the employer (or their designate) must regularly contact the worker at intervals appropriate to the nature of the hazard associated with the worker's work. Regular contact must also be made if effective electronic communication is not practicable at the work site.

The time intervals at which contact is made should be based on the level of risk that the worker is exposed to. For example, a person working at a retail store located in a strip mall, with workers of other employers nearby, may not require contact as frequently as a person working in a free-standing retail store.

As a second example, consider a laboratory setting. When establishing the time interval between contacts the employer needs to consider the materials and equipment being worked with, including anything stored in the lab that a worker could accidentally hit or spill. If a worker is unlikely to encounter any hazardous materials or equipment, then checking in with someone upon arrival or departure should be sufficient. If a worker is working with hazardous chemicals or equipment, then the contact interval should be based on the likelihood of serious health consequences should the worker be injured while working alone.

In many situations the most practical approach may be to make contact at the beginning and/or end of a work shift. The nature of the hazard associated with the worker's work, as reflected in the employer's hazard assessment, should help to assess the level of risk that the worker is exposed to and set the appropriate contact interval.

(6) Can you provide some examples of what Workplace Health and Safety considers acceptable electronic communication systems?

In working alone situations, employers are required to provide affected workers with an effective communication system that allows a worker to call for assistance if there is an emergency or the worker is injured or ill. This same communication system provides a means by which the employer can contact the worker to confirm his or her well-being. Portable two-way radios and telephones are obvious methods of communication.

Employers may also use other effective means of electronic communication. An acceptable system is one that allows the worker to send an "OK" signal at predetermined intervals and which activates procedures to contact the worker or initiate emergency response if the worker does not send a signal at a predetermined interval or if a signal for assistance is received. A discussion of systems currently available in the marketplace, suitable for urban/rural and remote locations follows. Additional systems not described here may also be acceptable.

Means of electronic communication — urban/rural settings

The following electronic communication systems serve as examples of approaches currently available to employers and workers.

- *Call-in systems* — these systems are available from security service providers and only require access to a phone. Workers call into the system at scheduled intervals during their shift and enter a code to confirm their safety. In the event that a worker fails to phone in by his or her scheduled interval, the service provider follows a predetermined protocol to make contact with the worker. If the worker cannot be contacted, emergency assistance is dispatched.
- *Externally monitored panic alarm devices* — numerous security service providers offer panic alarm devices for use in their service area which workers can carry with them, eliminating the need for access to a phone. As in the case with call-in systems, panic alarm devices can be programmed to require a worker to confirm his or her safety at scheduled intervals.

Some devices also offer a “person down” feature which notifies the security provider when a worker does not move for a given period of time, as well as a panic button which notifies the security provider of an emergency. In the event that the “person down” or panic alarm feature is activated, or a worker fails to confirm his or her safety at a scheduled interval, the service provider attempts to contact the worker before emergency assistance is dispatched. These devices are designed to be carried on the worker at all times and can be worn around the worker’s neck or on his or her belt. It is the employer’s responsibility to ensure that the workers consistently wear the device when assigned to work alone.

- *Internally monitored panic alarm devices* — panic alarm devices can also be purchased with a monitoring station that is operated by the employer, rather than an external security service provider. The employer’s monitoring station can be linked to a number of different panic alarm devices and will emit an audible signal in the event that a worker fails to confirm his or her safety or the “person down” or panic button features are activated.

Means of electronic communication — remote locations

Examples of work activities in remote areas include range riding, field biology work, timber crushing, surveying, fire watch, mineral exploration, seismic blasting and guide work. Working alone in remote areas can present particular risks given that the work is typically done outdoors and often in difficult terrain or in otherwise relatively inaccessible areas.

Such areas also present particular challenges to providing a means of making regular contact with workers. Land-based telephone lines and security services are typically unavailable, and cell phone coverage may be limited or non-existent. However, examples of electronic communication systems that may be of use in such locations include the following.

- *Wireless satellite hand-held alerting and tracking devices* — several systems are available and provide capabilities such as alerts, simple messaging and position reporting through the use of GPS (Global Positioning System) technology. Systems are available that can provide coverage in most outdoor situations. Because of potential operational limitations based on the terrain in which the systems will be used, any system being considered for use should be tested for reliability in the type of setting that it will eventually be used.
- *Satellite phones* — these can also be effective in remote areas and offer the advantage of permitting extended two-way voice communication. Satellite phones should be evaluated for reliability in the areas they are intended to be used.
- *Radio transmitters* —in some circumstances i.e. where there is a relatively permanent base worksite with power generation capability, it may be feasible to use a local radio transmitter that provides surface-to-surface two-way radio contact. In some areas repeaters can be accessed for a wider coverage area.

- (7) Do employers have to complete a hazard assessment for each worker who meets clients alone at their worksites, or do they have to conduct a new hazard assessment every time this worker enters a new worksite?

No, hazard assessments are only required for each different set of working conditions. For instance, a taxi company could complete one hazard assessment to cover all their workers and the typical situations they encounter rather than doing one for each of their drivers.

- (8) If a worker works with others from different companies or with members of the public, do the working alone requirements of the OHS Code still apply?

The OHS Code applies if a worker is working alone at a work site and assistance is not readily available if there is an emergency or the worker is injured or ill.

In determining whether an employer has workers who meet this requirement, the employer must first assess whether there are likely to be situations where assistance is not readily available.

Three factors must be considered in determining if assistance is “readily available” — awareness of the situation, willingness to provide assistance and timeliness of the assistance. If for instance, a worker was the only worker at Bison Burgers in a mall food court, he or she would not be “working alone” because other workers (from neighbouring food outlets) would be available to provide or summon assistance. Conversely, the lone worker at a stand-alone food outlet would meet the “working alone” definition because that worker, if seriously injured, would have no means of obtaining assistance.

(9) How will Occupational Health and Safety Officers ensure employers have conducted hazard assessments?

We will include this OHS Code requirement on the Client Contact Report we use to inspect work sites. Compliance with Part 28 of the OHS Code will be checked during the normal course of all our inspections. The Department targets companies with a poor history of health and safety performance for inspection. The Department also responds to all complaints when cases of non-compliance have been identified. Officers ask employers to remedy the situation voluntarily within a specific timeframe.

Employers who fail to comply voluntarily are issued compliance orders and may be prosecuted for non-compliance under the *OHS Act*.

(10) Why have you not considered making it mandatory for employers to have two workers working together?

The Review Task Force responsible for the requirements did consider making it mandatory for employers to have at least two workers at all work sites. However, in its search for practicable, effective and enforceable requirements, the Task Force found that having two workers may not always be practicable or effective in protecting workers. Instead, the Task Force preferred to give employers some flexibility in determining how to best protect their workers. No jurisdiction in Canada prohibits working alone.

(11) How many employers have workers who work alone?

Almost every one of Alberta's employers has workers who, for some reason or other, need to work alone. Employers need to assess these situations and control the hazards associated with working alone.

(12) How does Part 28 — Working Alone compare to the requirements of other jurisdictions?

Many jurisdictions in Canada (Alberta, British Columbia (B.C.), Saskatchewan, Manitoba, New Brunswick, Prince Edward Island and Northwest Territories/Nunavut) have specific provisions regulating working alone. All use a regulatory approach requiring employers to conduct a hazard assessment and to develop controls to reduce the risks associated with the hazards they identify.

In B.C., if a worker is assigned to work alone or in isolation at a late night retail premise, the employer must

- (a) develop and train the worker in money-handling procedures, and
- (b) either assign more than one worker to work during late night hours or ensure the worker is physically separated from the public by a locked door or barrier during those hours.

The locked door or barrier must ensure the worker cannot be physically contacted or accessed by a member of the public. The use of a barrier is being phased in over time as employer groups in B.C. develop a practical barrier design.

Also in B.C., an employer at a gas station or retail fueling outlet must ensure that customers prepay for all vehicle fuel. Fuel prepayment has been adopted to protect workers from the hazards of “gas and dash” activities. This requirement applies 24 hours a day, seven days a week, and includes full-serve and self-serve establishments.

(13) Can a worker refuse to work alone?

The *OHS Act* requires workers to refuse work that poses an “imminent danger”. The *Act* defines this type of danger as:

- (a) a danger that is not normal for that occupation, or
- (b) a danger under which a person engaged in that occupation would not normally carry out the person’s work.

If the worker’s job normally requires him or her to work alone, he or she would not be in “imminent danger” and could not refuse to work. However, if a worker was re-assigned to a new task which required him or her to work alone and no training was provided on how to minimize the hazards associated with that work, an imminent danger, as defined by the *OHS Act*, would exist and refusal to work would be warranted.

(14) Who can conduct a hazard assessment?

The person who conducts a hazard assessment does not require specific training or qualification. To help those unfamiliar with the process of conducting an assessment, the Department has published a handbook “*Working Alone Safely — A Guide for Employers and Employees*”. This publication is available by calling the Workplace Health and Safety Contact Centre toll free at 1-866-415-8690 or can be downloaded from the Department’s Web site. The OHS Code requires employers to have workers participate in conducting the hazard assessment and eliminating or controlling the hazards.

For more information

 http://employment.alberta.ca/documents/WHS/WHS-PUB_workingalone.pdf

Working Alone Safely – A Guide for Employers and Employees

(15) Are workers entitled to know the results of a hazard assessment?

Yes, the OHS Code requires that the assessment be communicated to all affected workers. The OHS Code also requires employers to have workers participate in conducting the hazard assessment and eliminating or controlling the identified hazards. Workers who work alone must also be trained in any procedures or practices developed to protect them from the hazards identified in the assessment.


(16) If workers are concerned about having to work alone, what can they do?

In addition to conducting inspections of workplaces, Occupational Health and Safety Officers respond to all complaints where a violation of the *OHS Act, Regulation* or Code is suspected. Workers can make a complaint by calling toll free 1-866-415-8690.

(17) How much will the working alone requirements of the OHS Code cost employers to implement?

The handbook prepared by the Minister's Committee on Best Practices – Working Alone entitled “*Working Alone Safely — A Guide for Employers and Employees*” was developed, in part, to enable employers to conduct their own hazard assessments without the necessity of hiring a consultant.


For more information


 http://employment.alberta.ca/documents/WHS/WHS-PUB_workingalone.pdf
Working Alone Safely – A Guide for Employers and Employees

The controls and strategies the employer chooses to implement are entirely up to the employer. The cost of these controls will vary from work site to work site depending on the choices of the employer and the hazards to be controlled. For instance, an employer may decide that some high hazard work alone may require cellular phones for all workers who do this work and periodic checks by a supervisor. Another work site, where the worker only does low hazard administrative work, the employer could decide to have the worker call in to the central office once or twice a day.

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or
▪ **1-800-232-7215**
throughout Alberta

Web Site



www.worksafely.org

Getting copies of OHS Act, Regulation & Code:

Queen's Printer



www.qp.gov.ab.ca



Edmonton 780-427-4952

Workplace Health and Safety



<http://employment.alberta.ca/whs-ohs>

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