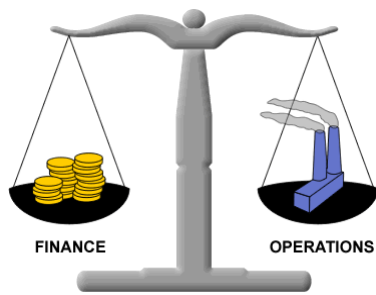


HAZARD ALERT

Manitoba Company Fined \$30,050

January 2010



sand.

On January 7, 2010 a Manitoba sandblasting company was fined \$30,050 for failing to ensure that an employee used safe work procedures in the course of sandblasting a tanker. The employee suffered severe head trauma after the nylon couplers connecting the sandblasting hoses became disconnected resulting in the workers head being "sand blasted" by high pressure silica

Some questions to ask are? Was there even a Job Hazard Analyses (JHA) and Safe Work Procedure (SWP) created for this specific task and if so, were they ever communicated to this employee? If there is a JHA and SWP, were employees who are experienced at this task or the Workplace Safety and Health Committee consulted in its development?

Supervisors, foremen, lead hands etc, have the responsibility to ensure that employees working under their supervision follow safe work procedures. If not, coaching is recommended, however progressive discipline and enforcement must also be demonstrated.

Remember:

- A JHA must be completed before each task.
- A SWP must be created from the JHA, reviewed with employees and include their signatures. This demonstrates the involvement of workers and will strengthen a due diligence defence.
- An inspection of the equipment to be used should be completed before each use or at the very least at the beginning of each shift.
- A lack of enforcement of policies, procedures and rules is seen by the courts as a lack of complete due diligence.
- If it's not documented it was never done. Supervisors should document discipline for employees who decide not to follow the safety rules.

Have your managers, foreman, charge hands or lead hands received training in their responsibilities and accountabilities with regards to Workplace Safety and Health legislation and the employees under their supervision? The Supervisor Essentials course on mySafetyAssistant.ca will help train your supervisors to understand their responsibilities and strengthen your company's due diligence.

NOTE: Any reference to the Manitoba Workplace Safety and Health Regulation is for convenience sake only. The original text must be consulted for all intents and purposes of applying the law.

MR 217/06 PART 16 MACHINES, TOOLS & ROBOTS

Safe work procedures

16.2(1) An employer must

- (a) develop and implement safe work procedures respecting all machines and tools used in the workplace;
- (b) train workers in the safe work procedures; and
- (c) ensure that workers comply with the safe work procedures.

Duty to inform workers

16.3 An employer must ensure that a worker is

- (a) informed of any risks associated with a machine or tool used in the workplace; and
- (b) provided with information, instruction and training in the safe use and operation of the machine or tool.

MACHINE AND TOOL SAFETY

Machine and tool safety

16.4(1) An employer must ensure that any machine or tool in the workplace is

- (a) capable of safely performing the functions for which it is used; and
- (b) used, inspected and operated in accordance with:
 - I. the manufacturer's specifications, and
 - II. the safe work procedures for the workplace.



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