

Working Alone Proposal

General Safety Regulation Task Force

May 2000

The AFL is pleased to comment on the proposed wording of a new Working Alone section of the General Safety Regulation. We are also pleased the Minister has fast-tracked these provisions. Alberta has gone too long without any requirements that protect workers who work alone.

Proposed Section 309

The Alberta Federation of Labour supports the inclusion of the proposed section 309 into the GSR. We believe the requirements of a hazard assessment and effective communications are important steps forward to protecting workers working alone.

We have three additional suggestions, which we believe will make the proposal even more effective at protecting workers who work alone.

Hazard Control

We believe the requirements of the proposed section 13, which lays out the requirements for the elimination and control of a hazard, should be referenced in the section. The section refers to section 12 to highlight the requirement for a hazard assessment. Assessment without control does not make workers safer.

By incorporating section 13, we ensure that the employer must also follow required steps to adequately eliminate and control the hazards. This also ensures an appropriate hierarchy is placed on those controls.

We suggest that when referencing section 13, some wording be added to suggest that the first step should be to find a reasonably practical way to eliminate working alone. We suggest the following wording: *"Elimination under section 13 includes eliminating the occurrence of working alone, where reasonably practicable."*

Working Alone Agreement

We propose the addition of a section requiring the employer to provide a written "Working Alone Agreement" to the worker before the commencement of working alone. We suggest wording which would include the following:

Before a worker is required to work alone and after complying with the requirements of section 309, the employer shall provide a written Working Alone Agreement, which shall include:

- *the circumstances in which the worker will be required to work alone;*

- *the specific hazards and risks associated with working alone at that job*
- *how each of the stated hazards have been eliminated or controlled*
The Working Alone Agreement shall be signed by both the employer and the worker.
- *If the worker feels the hazards have not been adequately addressed, they shall not be required to sign the Agreement until the employer and worker agree upon adequate hazard control.*
- *In the event the worker and employer cannot come to agreement, the issue shall be referred to the Occupational Health and Safety Council for resolution.*
- *No employer shall coerce or force an employee to sign an Agreement against their will.*

This proposal has two purposes. First, it is to ensure the employer adequately communicates the hazards and controls to the worker. Second, it is to ensure no worker is forced to work alone unless the hazards have been adequately addressed.

We realize there is a need for an independent arbiter in the rare cases when the two parties can't agree. We suggest the Minister's Council, as this body already has authority to hear appeals and make rulings.

Ministerial Discretion

We suggest one final addition. We propose that the Minister be given the power to label certain types of work as "high risk" and order that this work not be performed alone at anytime. The Minister shall issue such an order if they feel that the hazards associated with working alone at the job are substantially high, and the ability to control these hazards is poor.

This provision is to permit the Minister to name certain high risk jobs and industries as jobs where no worker shall be permitted to work alone at any time. This provides power to ban working alone in dangerous situations, while providing flexibility to the Minister to respond to changing circumstances.

This provision has effect, not so much for the actual power it provides, but for the message it sends to employers and workers. We anticipate that in the immediate future, the Minister would not prohibit working alone in any job. However, its existence in the regulation communicates to employers and workers to take working alone seriously and to make sure they have adequately controlled hazards associated with it.

Conclusion

With the additions we suggest, we believe Alberta has the potential to become a leader in protecting workers who work alone. We know that we can never eliminate working alone, but we can take steps to make sure the hazards associated with working alone are minimize and eliminated as much as possible.

Good luck on your deliberations.

