

Regulators' Forum

Alberta 2013

The Statistics

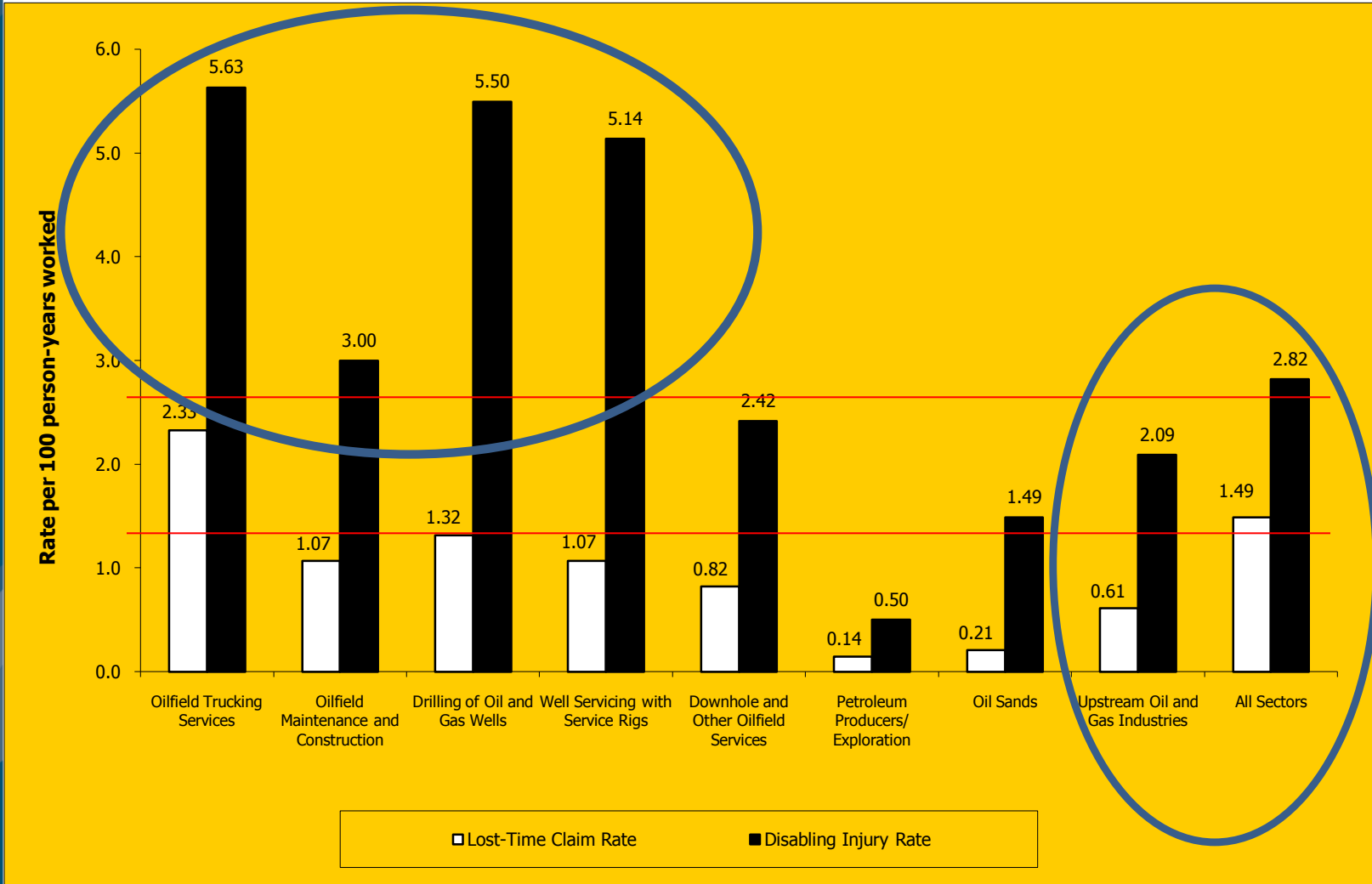
Lost-Time Claim Rate by Upstream Oil and Gas Sub-Sector

Data Source: WCB Data, Prepared by Research and Analysis

Sub-Sector	2007	2008	2009	2010	2011
Upstream Oil and Gas	0.77	0.67	0.50	0.50	0.61
Petroleum Producers/Exploration	0.23	0.18	0.17	0.13	0.14
Oilfield Maintenance and Construction	1.91	1.07	1.66	0.72	1.07
Well Servicing with Service Rigs	1.05	1.01	0.79	0.88	1.07
Drilling of Oil and Gas Wells	1.20	1.12	0.68	1.07	1.32
Down hole and Other Oilfield Services	1.15	1.08	0.76	0.82	0.82
Oil Sands	0.25	0.21	0.21	0.19	0.21
Oilfield Trucking Services	1.93	2.09	1.72	1.55	2.33

Lost-Time Claim and Disabling Injury Rates by Upstream Oil and Gas Sub-Sector 2011

Data Source: WCB Data, Prepared by Research and Analysis



Nature of Injury or Disease - 2011

Data Source: WCB Data, Prepared by Research and Analysis

Nature of Injury	Lost-Time Claims	%	Disabling Injury Claims	%
Traumatic Injuries and Disorders	956	92.3%	3,416	95.7%
Systemic Diseases and Disorders	70	6.8%	127	3.6%
Infectious and Parasitic Disorders	0	0.0%	0	0.0%
Neoplasms, Tumors and Cancer	1	0.1%	1	<0.1%
Symptoms, Signs and Ill-Defined Conditions	2	0.2%	15	0.4%
Multiple Diseases, Conditions and Disorders	1	0.1%	1	<0.1%
Other Diseases, Conditions and Disorders	4	0.4%	6	0.2%
Nature of Injury - Unknown	2	0.2%	5	<0.1%
Total	1,036	100.0%	3,571	100.0%

Part of Body Injured - 2011

Data Source: WCB Data, Prepared by Research and Analysis

Part of Body Injured	Lost-Time Claims	%	Disabling Injury Claims	%
Trunk	337	32.5%	1,074	30.1%
Upper Extremities	218	21.0%	1,071	30.0%
Lower Extremities	256	24.7%	888	24.9%
Head	126	12.2%	262	7.3%
Multiple Body Parts	70	6.8%	151	4.2%
Neck, Including Throat	10	1.0%	56	1.6%
Body Systems	18	1.7%	64	1.8%
Part of Body - Unknown	1	0.1%	5	0.1%
Total	1,036	100.0%	3,571	100.0%

Type of Event or Exposure - 2011

Data Source: WCB Data, Prepared by Research and Analysis

Type of Event or Exposure	Lost-Time Claims	%	Disabling Injury Claims	%
Contact with Objects or Equipment	292	28.2%	1,216	34.1%
Bodily Reaction or Exertion	331	31.9%	1,257	35.2%
Falls	200	19.3%	569	15.9%
Transportation Accidents	80	7.7%	184	5.2%
Exposure to Harmful Substances	107	10.3%	264	7.4%
Fires and Explosions	23	2.2%	49	1.4%
Assaults and Violent Acts	2	0.2%	6	0.2%
Type of Event - Unknown	1	0.1%	26	0.7%
Total	1,036	100.0%	3,571	100.0%

Types of Occupational Fatalities

Data Source: WCB Data, Prepared by Research and Analysis

Year	Motor Vehicle Incident		Workplace Incident		Occupational Disease		Total
	Number of Fatalities	%	Number of Fatalities	%	Number of Fatalities	%	Number of Fatalities
2002	7	38.9%	5	27.8%	6	33.3%	18
2003	10	47.6%	6	28.6%	5	23.8%	21
2004	5	33.3%	7	46.7%	3	20.0%	15
2005	5	41.7%	4	33.3%	3	25.0%	12
2006	10	58.8%	4	23.5%	3	17.6%	17
2007	9	50.0%	4	22.2%	5	27.8%	18
2008	8	57.1%	6	42.9%	0	0.0%	14
2009	3	21.4%	9	64.3%	2	14.3%	14
2010	5	31.3%	9	56.3%	2	12.5%	16
2011	4	36.4%	2	18.2%	5	45.5%	11
Total	66	42.3%	56	35.9%	34	21.8%	156

Number of OHS Activities in the Upstream Oil and Gas Industries

Data Source: CMIS Data, Prepared by Human Services, Data running date: March 1, 2013

Upstream Oil and Gas		
Type of Activity	April 1, 2011 - March 31, 2012	April 1, 2012 - February 28, 2013
Documentation Reviewed	202	323
Incident Summary	17	59
Initiative Meeting	15	22
Inspection	522	371
Investigation	414	343
Meeting	151	136
Pre-Project Meeting	0	1
Presentation	9	19
Publications Delivered	1	12
Receipt	26	100
Re-Inspection	163	150

Number of OHS Orders written in the Upstream Oil and Gas Industries

Data Source: CMIS Data, Prepared by Human Services, Data running date: March 1, 2013

Upstream Oil and Gas		
Type of OHS Orders	April 1, 2011 - March 31, 2012	April 1, 2012 - February 28, 2013
# of OHS Orders written	464	259
# of OHS Stop Use Orders written	33	11
# of OHS Stop Work Orders written	18	12

Top 5 OHS Orders written in the Upstream Oil and Gas Industries

Upstream Oil and Gas		
Top 5 OHS Orders written	Title	April 1, 2011 - March 31, 2012
OHS-Act-Section-18	Serious injuries and accidents	76
OHS-Code-Part-3-Section-12	Specifications and Certifications - Following specifications	44
OHS-Code-Part-2-Section-7	Hazard Assessment, Elimination and Control - Hazard assessment	37
OHS-Act-Section-19	Investigation of accident	31
OHS-Regulations-Part-1-Section-12	Equipment	24

Top 5 OHS Orders written in the Upstream Oil and Gas Industries

Upstream Oil and Gas		
Top 5 OHS Orders written	Title	April 1, 2012 - Feb 28, 2013
OHS-Code-Part-2-Section-7	Hazard Assessment, Elimination and Control - Hazard assessment	25
OHS-Act-Section-18	Serious injuries and accidents	19
OHS-Act-Section-19	Investigation of accident	15
OHS-Code-Part-3-Section-12	Specifications and Certifications - Following specifications	15
OHS-Regulations-Part-1-Section-12	Equipment	14

What is Oil and Gas doing well?

What is Oil and Gas doing well?

- **Lower overall LTC Rate and DIR comparable to all sector average (2011)**
- **Reduction in workplace fatalities (2011)**
- **Oil sands LTCR 1/3 of sector average**

What is Oil and Gas doing well?

- **Officer observations**
 - Guarding of rotating equipment
 - Development of safe work procedures
 - Certification of equipment
 - General housekeeping

**What are the areas
for improvement?**

Areas for Improvement

- **LTC Rate for Oilfield Trucking Services 4x sector average**
- **DIR almost 2x for**
 - Oilfield Trucking Services
 - Drilling
 - Well servicing
- **1,036 Loss Time Claims (2011)**
- **3,571 Disabling Injury Claims (2011)**
- **156 fatalities over a 10 year period**

Areas for Improvement

- **Officer Observations**
 - Industrial hygiene issues
 - Management of fall hazards
 - Emergency preparedness
 - Field staff competency in safe working procedures

What are the emerging safety issues?

Emerging Safety Issues

- **Occupational exposures**
- **Invert drilling mud**

Regulatory Modifications

Regulatory Modifications

- **Amendments to the OHS Act**
- **Code Review**
- **Ticketing and Administrative Penalties**

Amendments to the OHS Act

1. Administrative Penalties (Not proclaimed)

- **Section 40.3 (new)**
Provide authority to the department to levy administrative penalties against persons who contravene OHS legislation
- **Section 40.1 (revised)**
Provide regulation making power to support the administrative penalty system

2. Officer Authority

- **Section 4.1(new)**
When requested by an OHS officer,
 - persons at a work site must identify themselves to OHS officers;
 - employers must identify their workers to OHS officers
- **Section 40.4 (new)**
No person shall interfere with an officer exercising his/her power under the *OHS Act*

3. Prime Contractor

- **Section 3(1) (revised)**
Clarify that a prime contractor is required when two or more employers are involved at the work site even if the employers are not working at the same time

4. OHS Council

- **Sections 7, 16 & 17 (revised)**
Provide authority to the OHS Council to hear appeals of administrative penalties and their power to compel witnesses to give evidence

5. Non-payment of Creative Sentences

- **Section 41.2 (new)**
Provide that the government has the ability to collect outstanding amounts from creative sentences owing to third parties;
 - Unpaid amounts become a fine imposed on the person

6. Service of Orders

- **Section 44 (revised)**
Address how administrative penalties shall be served;
Provided that service on a person of apparent authority at a work site is acceptable service on an employer

Code Review

Code Review

OHS Code is being reviewed:

- **Part 4 – Chemical Hazards, Biological Hazards, and Harmful Substances**
- **Part 6 – Cranes, Hoists and Lifting Devices**
- **Part 21 – Rigging**
- **Part 23 – Scaffolds and Temporary Work Platforms**
- **Part 33 - Explosives**
- **Part 36 – Mining**
- **Schedule 1 – Occupational Exposure Limits for Chemical Substances**

OHS Code Review

- **Based on stakeholder input, draft proposals for changes will be completed and submitted for a broader public consultation to be conducted in early 2014**
- **Final recommendations for changes will be submitted to the OHS Council in late 2014**
- **The target release date for the next version of the OHS Code is 2015**

<http://employment.alberta.ca/SFW/14789.html>

Ticketing and Administrative Penalties

Ticketing and Administrative Penalty Systems

Ticketing and Administrative Penalties will provide OHS officers with new tools to use to establish compliance with OHS legislation on Alberta work sites.

- Compliance with OHS legislation is an important step towards a safe and healthy work place.
- A safe and healthy work environment is a goal everyone shares.

What is Ticketing?

The OHS ticketing system enables OHS officers to issue on-the-spot violation tickets to workers or employers in response to an officer observing contraventions of specified provisions of the Alberta OHS Act, Regulation or Code.

A **Z** **VIOLATION TICKET** PART 1
ALBERTA Province of Alberta

On or about _____ Date _____ 20 _____ at or near _____ place in Alberta

NAME: _____ last _____ first _____ middle _____

ADDRESS _____ street _____
 _____ city, town, village _____ province _____ postal code _____

DID UNLAWFULLY CONTRAVENE SECTION _____ Sec. 1, Sub-Sec. 1, Description _____ OF THE

Traffic Safety Act Gaming & Liquor Act
 Use of Highway & Rules of the Road Reg. Municipal Bylaw
 Vehicle Equipment Reg.
 Operator Licensing & Vehicle Control Reg.
 Commercial Vehicle Safety Reg. Other Act or Regulation

Certificate of Offence and Service I believe on reasonable and probable grounds and certify that the person named above committed the offence as indicated and copy this to you in **Offence Notice** personally upon the person charged on the offence date _____ or
 Complaint I believe on reasonable and probable grounds and swear that the person named above committed the offence as indicated and that I served a **Summons** personally upon the person charged on the offence date _____

Complainant Signature _____ Print Name _____ No _____ Issue _____
 Sworn before me on _____ 20 _____ at _____ Alberta

Commissioner for Oaths Signature _____ Print Name _____ Expiry Date of Commission _____

IN THE NAME OF HER MAJESTY THE QUEEN YOU ARE THEREFORE COMMANDED TO APPEAR BEFORE A JUSTICE AT _____ Alberta _____ a.m. _____ p.m. on _____ 20 _____ at _____

AND TO ATTEND THEREAFTER AS REQUIRED BY LAW.

THE FOLLOWING DOES NOT FORM PART OF THE CHARGE

Speed Limit _____ Reported Speed _____ km/h _____ km/h _____ Clockwise Anti-Clockwise Fair-Loaded Screened Holder Laser

Court Appearance Required **Voluntary Payment \$** _____

Adult Youth National Safety Code No. _____

Particulars: _____ u.m.
 Place of Offence _____ Time _____ p.m.
 Operator Lic. No. _____ Hwy. No. or name of city, town, village, M.D. county, I.D., S.A. Prov. _____
 _____ Alta. Other _____ Sex _____ F _____ M

Birth Date _____ Year _____ Month _____ Day _____ M.V.I.D. No. _____
 Vehicle Licence No. _____ Prov. _____ Alta. Other _____
 Vehicle Make _____ Year _____ Color _____ Licence Year _____

ADJUDICATION

Charge Read & Plea: Guilty Not Guilty Guilty to lesser or Amended Charge Guilty Quashed Withdrawn Dismissed Convicted by Absence and Fined Specified Penalty

Fine and Surcharge _____ In Default _____ Time to Pay to _____

A **Z** _____ Date _____ Adjudicating Provincial Judge or Justice

What is an Administrative Penalty?

An administrative penalty is a monetary penalty levied by administrative rather than judicial action.

- An incident does not need to occur for an administrative penalty to be levied.
- Administrative penalties focus on remedial action and are preventive in nature.
- The decision to levy an administrative penalty will be made by OHS.

Ticketing FAQs

When are Tickets issued?

Tickets can be issued if an OHS officer observes a violation of a ticketable provision of the OHS legislation.

- Tickets will only be issued on-the-spot.
- Tickets are issued at the discretion of OHS officers. There are no quotas for tickets.
- At this time, the Minister has approved a list of 72 ticketable offences.

Who can receive a Ticket?

Tickets can be issued to a worker or an employer.

- Examples of employer offences include:
 - Employer failing to ensure required MSDS readily available at the work site
 - Employer failing to ensure worker uses/wears required Personal Protective Equipment
- Examples of worker offences include:
 - Worker failing to use/wear required fall protection system
 - Worker failure to secure/position ladder as required

What are Ticket Fine Amounts?

Worker tickets range from \$100-\$500.

Employer tickets range from \$300-\$500.

- There is no GST on tickets.
- There will be a 15% victim surcharge added to each ticket. This money goes to a fund to help workplace accident victim services.
- Ticketing is expected to be revenue neutral for the Government of Alberta.

Administrative Penalty FAQs

When are Admin Penalties issued?

Administrative penalties can be issued if OHS determines there is an on-going health and safety issue at a work site.

- Triggers for APs can include:
 - Non-compliance with OHS orders
 - Repeat orders for similar health and safety issues
- The decision to levy an administrative penalty will be made by OHS after a careful history review.
- There is a two year statute of limitation on the issuance of APs.

Who can receive an Admin Penalty?

Administrative penalties can be levied against:

- an employer
- a worker
- a contractor
- a prime contractor
- a supplier

Administrative penalties focus compliance on all parties at the work site.

What are AP Fine Amounts?

Administrative penalties have been set at a maximum amount of \$10,000 per contravention per day.

- OHS will use a set matrix to determine the AP amount to be assessed on a case-by-case basis. Factor that will be considered include:
 - Degree of risk of harm
 - Gravity or seriousness of the contravention
 - Degree of willfulness/negligence
 - History of non-compliance

How are Admin Penalties appealed?

Administrative penalties may be appealed within 30 days from the date notice of the penalty is given. Appeals are made to the OHS Council.

- The OHS Council is an independent, tripartite appeal body.
- The OHS Council received seven new members in 2011, and will be expanded to full capacity (12 members) in 2013.
- For more information on the OHS Council, see <http://humanservices.alberta.ca/working-in-alberta/6446.html>

Questions?

Thank you.