

Role and duties of Alberta OHS officers

Information for work site parties

This bulletin gives an overview of how occupational health and safety (OHS) officers monitor and enforce compliance with OHS laws in Alberta.

KEY INFORMATION

- OHS officers play an important role in keeping Alberta's work sites safe and healthy.
- OHS officers can:
 - Enter work sites to conduct an inspection or investigate an incident.
 - Take actions to ensure work site parties comply with OHS laws.

Monitoring and enforcing

Alberta OHS laws establish rules and requirements that employers, workers and other work site parties must follow to keep work sites healthy and safe.

OHS officers have authority to monitor and enforce the legislation in a number of ways, including:

- Conducting inspections and investigations.
- Issuing orders.
- Writing tickets.
- Issuing administrative penalties.

Inspection and investigation authorities

The *OHS Act* gives OHS officers their authority to conduct inspections and investigations.

Section 34 establishes inspection authorities. During an inspection, officers may:

- Enter a work site at any reasonable time.
- Require the production of any documents relating to health and safety. The officer can:
 - Examine these, make copies or temporarily remove them to make copies.
 - Use any of the employer's devices or systems, if needed, to examine the documents.
- Require reasonable assistance, including access to electronic information.

- Inspect, seize or take samples of materials, products or equipment.
 - This can include requiring dismantling or testing, if needed.
- Bring along specialized equipment and technical experts.
- Do tests and take photographs, measurements or recordings.
- Require demonstrations of how equipment or machinery works.
- Interview and take statements from persons who have information related to the health and safety of workers.

If an injury or incident occurs at a work site, or an illness occurs in relation to a work site, section 36 of the act states that officers may:

- Investigate the injury, illness or incident.
- Attend the scene and make inquiries to determine cause and circumstances.
- Enter any relevant place or area at a work site.
- Require the production of information or seize documentation.
- Exercise any inspection authority.

The act gives officers authority to require proof of identity from any person at a work site. This proof has to be satisfactory to the officer. Officers may also require employers to identify all workers and supervisors employed by the employer.

Under Part 1 of the *OHS Act*, work site parties must cooperate with OHS officers. The law also prohibits anyone from interfering with or hindering an OHS officer.

No person shall interfere with or in any manner hinder an occupational health and safety officer or a police officer who is exercising powers or performing duties or functions under this Act.



- *OHS Act*, s. 37

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Enforcement

OHS officers can take a range of actions to enforce compliance with the legislation.

Compliance order

Section 38 of the *OHS Act* gives officers authority to issue orders to ensure compliance. These orders require work site parties to meet their legislated obligations, and give measures and timelines for compliance.

Stop work order

OHS officers can issue a stop work order if they believe there is a danger to worker health and safety. Under section 39(1) of the act, an officer can:

- Stop work or any part of it.
- Order people to leave the work site.
- Order work site parties to take specific measures to protect workers or others from danger.

Multiple work site stop work order

OHS officers can issue a stop work order to multiple work sites controlled by a single employer. Officers can do this if they believe that a danger to worker health and safety exists or may exist at the employer's other work sites.

Authority for stop work orders to multiple sites is established in section 39(2) of the act.

Stop use order

Section 40 of the *OHS Act* gives OHS officers authority to issue a stop use order if they believe that personal protective equipment (PPE), equipment, a harmful substance or explosives are not safe or do not comply with OHS legislation. A stop use order:

- Remains in place until the health and safety issue is corrected as required in the order.
- Prevents anyone from selling, renting, leasing or otherwise transferring the PPE, equipment, substance or explosive that is subject to the order.

OHS officers can also order suppliers to stop supplying PPE, equipment, harmful substances or explosives that an officer believes are not safe or do not comply with OHS laws.

Violation tickets

OHS officers have authority under the *Provincial Offences Procedure Act* and its regulations to issue immediate, on-the-spot tickets against employers, supervisors and workers who violate certain provisions of the OHS Code.

OHS tickets use the same form as Alberta traffic tickets. The form describes how to pay or contest the ticket, and gives a court date and location.

Ticket amounts range from \$100 to \$500 per violation, plus a 20 per cent victim surcharge. See [OHS violation tickets web page](#) for more information.

Administrative penalties

OHS officers can issue administrative penalties to any person who has:

- Contravened OHS legislation.
- Not complied with an order, acceptance, allowance, approval, or inter-jurisdictional recognition.
- Made a false statement or given false or misleading information to an officer.

An administrative penalty is a monetary penalty issued by Alberta OHS. Penalty amounts are a maximum of \$10,000 per day, per contravention. Authority for administrative penalties is established in section 44 of the *OHS Act*.

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Contact us

OHS Contact Centre

Anywhere in Alberta

1-866-415-8690

Edmonton and surrounding area

780-415-8690

Deaf or hearing impaired

1-866-232-7215 (Alberta)

780-427-9999 (Edmonton)

Notify OHS of health and safety concerns

alberta.ca/file-complaint-online.aspx

Call the OHS Contact Centre if you have concerns that involve immediate danger to a person on a work site.

Report a workplace incident to OHS

alberta.ca/ohs-complaints-incidents.aspx

Website

alberta.ca/ohs

Get copies of the *OHS Act*, Regulation and Code

Alberta Queen's Printer

qp.gov.ab.ca

OHS

alberta.ca/ohs-act-regulation-code.aspx

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