



How Does The Occupational Health And Safety Act Affect The Tourism Industry?

Each employer is required to apply the Occupational Health and Safety Act and Regulations to their workplace and to make workers familiar with their responsibilities under their particular circumstances.

You are required to have a copy of the Occupational Health and Safety Act and a copy of the Regulations posted at your worksite along with the telephone number of the Department of Labour.

Copies of the Occupational Health and Safety Act and Regulations can be obtained by calling:

1-800-9-LABOUR or **424-5400** or by accessing their website: www.gov.ns.ca/enla/ohs

Where Do You Fit In All Of This?

If you have more than two workers, which should include the owners and any people who work for you, you require Worker's Compensation coverage. An employee is defined as a person who is employed to do work and includes a dependent contractor. From an Occupational Health and Safety perspective, workers include casual workers where employment is expected to continue for more than four weeks.

What Are Your Responsibilities?

If you employ from 1-4 workers including the owner you must:

1. Have a copy of the Occupational Health and Safety Act and Regulations posted and the telephone number of the Department of Labour: **1-800-9-LABOUR**.
2. Instruct employees on:
 - a. the right to refuse unsafe work,
 - b. the right to know about any issues that affect your workplace,
 - c. the right to participate in Occupational Health and Safety issues in your workplace.

3. Provide training on Workplace Hazardous Materials Information System (WHMIS) if your workers handle any controlled products. *i.e. gasoline; cleaning agents; pesticides;*
4. Ensure someone trained in First Aid is on duty at all times and a type 2 first aid kit is available.
5. Maintain equipment and premises and provide safety instruction and job training.
6. Ensure employees have the proper equipment and safety gear. *i.e. anti-slip soles in kitchen areas; rubber gloves when using cleaning agents*
7. Make all employees familiar with health and safety hazards. *i.e. cleaning agents*
8. Provide written safe work practices.

If you employ between 5-19 workers, you must have:

1. All items mentioned for 1-4 workers.
2. A written, signed, posted, and dated Occupational Health and Safety policy.
3. The employees must select at least one of themselves to be an Occupational Health and Safety Representative to:
 - a. Help identify hazards to health and safety,
 - b. Participate in inspections and Investigations,
 - c. Advise on personal protective equipment, clothing and devices,
 - d. Ensure compliance with the Occupational Health and Safety Act and Regulations.



If you have more than 20 employees, you must have a written program that includes at least the following program elements:

1. Occupational Health and Safety Policy

- a. States the employer's commitment to safety and health and the Occupational Health and Safety program objectives.
- b. Defines responsibilities and roles of the employer, supervisors and workers

2. Regular Inspections of Premises

- a. Show if the work site, machinery, equipment and work practices meet the safety and health standards.
- b. Identify conditions and unsafe acts with the potential to cause injury so that corrective measures can be taken.
- c. Must be conducted at intervals that will prevent the development of unsafe working conditions.

3. Supplementary Instructions (Written Safe Work Procedures)

- a. Identify hazards and clarify what must be done to eliminate or minimize the hazard to comply with the Occupational Health and Safety Act and Regulations.
- b. Guide and direct workers in the safe performance of their jobs.
- c. Procedures are used as training standards.

4. Management Meetings

Must be held regularly to review the Occupational Health and Safety program activities and to decide how to make improvements.

5. Investigation of Accidents

- a. Determines the causes of accidents, near misses, injuries, and diseases so that corrective actions can be taken to prevent them from happening again.

- b. Identifies unsafe conditions, unsafe acts, and unsafe work procedures along with solutions to prevent a future occurrence.

6. Records and Statistics

- a. Documents the Occupational Health and Safety program's history and improvements.
- b. Provides a record of program activities such as orientation, training and inspections, accident investigations and sampling.
- c. Helps identify trends, unusual conditions and problem areas.

7. Joint Occupational Health and Safety Committee (Mgmt.-Worker)

- a. Identifies health and safety problems.
- b. Allows workers to participate in safety and health.
- c. Provides a forum for solving safety and health programs.
- d. Recommends ways of improving safety and health activities to management.
- e. Post minutes of committee meetings.

8. Instruction of Workers

- a. Makes workers proficient in the safe performance of their jobs.
- b. Includes on-site direction and instruction by supervisors to ensure that workers work safely.
- c. Includes training to make workers proficient in the safe performance of their jobs. *i.e. orientation, crew talks, on the job training, and refresher training.*

The Importance of Due Diligence

What Is "Due Diligence"?

Due diligence is your defense that you have taken all reasonable precautions to comply with the Occupational Health and Safety Act and Regulations. This means you have to take any steps a reasonable and prudent person would take in the circumstances to prevent accidents.



What Are The Key Elements Of "Due Diligence"?

1. Policies—Occupational Health and Safety Policy: Personal Protective Equipment Policy.
2. Monitoring the effectiveness of policies and procedures. *i.e. are they preventing accidents?*
3. Communication of hazard information. Communicate to workers about hazards.
4. Auditing and records of hazard identification—written records of workplace inspections.
5. Training programs and records.
6. Accident investigation and Reporting.

Why Is Documentation Important?

Records provide a history of the activities of, and improvements to, the Occupational Health and Safety program. They are evidence that you have a program that is working as intended.

However, a written program won't help you prove due diligence unless you have implemented it. Similarly, copies of written safety rules and procedures won't help you prove due diligence unless they are understood and followed by workers.

Documentation can show that you took steps to control or eliminate hazards. It can also show that you have provided workers with adequate instruction, training, supervision, and discipline to work safely.

First Aid and Workplace Hazardous Materials Information System (WHMIS) are also part of the Occupational Health and Safety program. For more information on First Aid and WHMIS requirements, go to: www.gov.ns.ca/enla/healthandsafety



How Does the Nova Scotia Food Retail and Food Services Code Affect the Tourism Industry?



Where Do You Fit In All Of This?

Prevention of foodborne illnesses is critical to the safety of consumers and to the safeguard of the Nova Scotia Food industry. It is the responsibility of food service operators to provide appropriate food safety training and ensure that food safety standards are upheld in their organization.

What Are Your Responsibilities?

1. Control of Food Hazards

- a. The operator of a food premise should provide effective supervision in implementing safe food practices, addressing potential food risks and taking corrective action where necessary.
- b. Trained supervisory personnel should be on site at all times during food service operations.
- c. Operators must ensure that an effective management system is in place and practised to control and minimize the contamination of food at critical phases of food production.
- d. Records for the control of food hazards should be maintained and available for review for at least a three month period.

2. Preventing Contamination

- a. Access to food preparation should be restricted as much as possible to designated food handlers.
- b. Food must be stored, prepared, displayed and served in a manner that prevents food from becoming contaminated.
- c. Operators should be familiar with common food allergens that can be life threatening to certain customers.

3. Maintenance and Sanitation

- a. A food premises shall have effective systems in place to:
 - i. ensure adequate and appropriate maintenance and cleaning of the facilities and equipment;
 - ii. control pests;
 - iii. remove wastes;
 - iv. monitor and record the effectiveness of maintenance and sanitation procedures.
- b. Equipment shall be maintained in good repair, so that it functions in accordance with its intended use.
- c. Food premises should have a written sanitation program to monitor and control maintenance and sanitation regulations.
- d. The presence of birds, rodents, or insects must be treated immediately by inspecting and discarding any contaminated food.
- e. Waste, refuse and recyclable materials should be removed from the food premises daily.

4. Hygiene

- a. All operators and personnel of food premises are responsible for ensuring that food products are handled (throughout storage, preparation, display, service and presentation) in a manner which prevents contamination.
- b. Food handlers must thoroughly wash their hands before commencing work. In particular, food handlers must wash their hands after any activity in which their hands might become soiled.
- c. The operator of a food premises must ensure that all personnel who come into contact with food are free from any signs of illness or communicable disease that is transmissible through food.

5. Education and Training

- a. Mandatory educational programs are required for managers and supervisors of food establishments.
- b. Every operator of a food establishment must ensure that food handlers have the necessary knowledge and skills to enable them to handle food hygienically.
- c. Certification resulting from training courses should be valid for five years after completion of the course. After five years, operators or food handlers should be required to participate in a refresher or updating course.



For more information on the Nova Scotia Food Retail and Food Services Code, go to: www.gov.ns.ca/nsa/foodsafety

To register for Food Safety and WHMIS training courses with the Nova Scotia Tourism Human Resource Council, go to: <http://onlinetraining.tourismhrc.com>

The information presented in this publication is intended for general use and may not apply to every circumstance.

It is not a definitive guide to government acts of regulations and does not relieve persons or companies using this publication from their responsibilities under applicable provincial legislation.



Occupational Health & Safety and Food Safety...



...and how they affect The Tourism Industry



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