

Wildfire recovery: OHS information for employers

What you need to know:

- In general, Occupational Health and Safety (OHS) laws apply to all workers, including volunteers and waged non-family farm and ranch workers.
- There are specific exceptions when working on your own home and for farm and ranch workers.
- Call the OHS Contact Centre if you have questions or concerns:

1-800-415-8690

What do I do after the fire?

As an employer, you must first and foremost ensure fire-damaged buildings are structurally safe to enter before workers enter the structure. This includes getting advice from a qualified professional, such as a structural engineer.

Fire may create new hazards like contamination from harmful substances on surfaces, soot or exposure of hazardous building materials such as asbestos and blockages.

The burning of building material, house contents, vehicles, asphalt or other materials may also create harmful substances.

You should also be aware that areas of the building not previously considered “restricted spaces” or “confined spaces” may now fall into these categories due to restricted or impeded access from the fire damage.

Electrical systems may also be damaged; the employer must ensure electrical hazards are controlled before the power to the building is turned back on.

Should I be concerned about air quality at work?

Outdoor workers and those performing strenuous activities are most exposed; however, workers in any number of jobs may be exposed to wildfire smoke or other airborne contaminants.

The health effects can range from eye, nose and throat irritation to reduced lung function, bronchitis, and intensify pre-existing medical conditions like asthma.

How reduced air quality affects health depends on factors such as the length of exposure, age, current health state and the type of smoke.

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Can I get started on clean-up work right away?

Before any restoration or demolition work begins, employers must conduct a hazard assessment and then ensure the properly qualified companies are retained to assist with the work. Check that the company has suitably trained workers and can provide proof of insurance before hiring.

One of my workers is in one of the at-risk categories identified by the Chief Medical Officer. Are they obligated to return to work?

If there is a concern or question about any of your employees' health, they should be assessed before they return to Fort McMurray. A sample health screening questionnaire has been included in this package and is available online at work.alberta.ca/ohs. If any of your workers answer yes to any of the screening questions, ensure they get clearance from their doctor prior to returning to work.

One of my workers is not in the at-risk category, but is not comfortable returning because of the air quality or other health concerns. Can I require them to return to work?

It's important to bear in mind that, as of early June, the return to Fort McMurray is voluntary and the evacuation order still stands. There are still very limited services and provincial health officials are telling residents to return only if they are fully comfortable. With that in mind, we urge employers to work with workers to find reasonable solutions.

You should talk to your workers about their concerns and safety at your work site. You should also ensure you have the proper personal protective equipment available at all your work sites. Air quality conditions can change rapidly and you may find your workers need respirators or other safety equipment at a moment's notice.

A worker can refuse work if it is an imminent danger and you cannot dismiss or discipline them for doing so. If a worker raises a safety concern that is not an imminent danger, you must immediately address the concern and take steps to fix any safety issues.

You should also check with Alberta Employment Standards to discuss your options in a situation where your worker does not wish to return to work. Call Employment Standards at 1-877-427-3731.

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Can a worker refuse fire clean-up work due to “imminent danger”?

Yes. “Imminent danger” refers to any danger that is not normal for that worker’s occupation. Asking a worker to perform clean-up or restoration activities that are not normally part of their job may create an imminent danger situation. For example: asking workers to remove damaged building materials that contain asbestos when they have not been provided with training and the correct protective equipment.

Workers must not perform any job or operate any equipment if they believe there is or will be imminent danger. When a worker notifies their employer that he or she refuses to do a job due to a belief that there is imminent danger, the employer is required to assess and eliminate the imminent danger situation. The worker may be temporarily sent to another job and will not lose their pay.

Asking a worker to work in a situation of imminent danger is against the law. A worker cannot be disciplined for refusing to do work due to a belief that there is imminent danger. Workers have the right to call or write to an Occupational Health and Safety Officer if they believe they have been disciplined or fired because they refused to perform a job due to a belief that there was imminent danger.

One of my workers has refused work, citing imminent danger. What do I do next?

You must immediately investigate and take action to eliminate the imminent danger situation. You must ensure no worker is assigned to the same equipment or work unless either:

- The worker assigned is not exposed to the imminent danger, or
- The imminent danger has been eliminated.

You may temporarily send the worker who has refused work to another job, but at no loss of pay.

Document in writing the worker’s notification, your investigation, and what actions you took. Give the worker a copy of the written report.

You cannot dismiss or discipline a worker for refusing unsafe work. This includes cutting their hours. OHS will investigate any complaint of this nature.

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How do I know if air quality at my workplace is affected?

The Air Quality Health Index (AQHI) provides information on the relative health risk associated with air quality in Alberta. The higher the AQHI number, the greater the risk and need to take precautions. The AQHI is updated hourly and can be accessed online.

Occupational exposure limits are legal limits included in the Alberta Occupational Health and Safety legislation intended to protect most workers from the health effects from exposure to hazardous substances over a work day. These limits are different than the standards for public health. If workers need to work in wildfire areas, the employer must ensure that occupational exposure limits are not exceeded. Workers may need to be provided with protective equipment, such as respirators, if they need to work in areas where these limits may be exceeded.

Does poor air quality constitute an imminent danger for workers?

Not necessarily, but as an employer you are required to put appropriate controls in place (such as respirators and other protective equipment) and have procedures to be followed when air quality is poor.

Air quality changes continually. Areas impacted by smoke will change based on wind direction and fire location. When workers are asked to mobilize to these areas, employers must ensure workers have the required protective equipment and know what the safe work procedures are.

How can I ensure occupational exposure limits are not being exceeded at my work site?

Eliminating or preventing any exposure is the best way to protect health. When employers cannot eliminate the hazard and have exposed workers, they should assess the hazard, determine what controls they have in place and outline how they will control potential worker exposure. Monitoring the AQHI online will give you a general idea of the air quality in your area.

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What are some controls that can be used to protect workers from airborne contaminants?

- If your work is not critical and can be moved to an area where air quality is better, consider relocating or rescheduling until air quality conditions improve.
- Reduce levels of physical activity, as necessary, to decrease inhaling pollutants.
- Pay attention to warnings - public health warnings apply to you and should be followed.
- When in your vehicle, keep the windows closed - the air system should be set on recirculate so smoky air doesn't get inside.
- When driving through an area with low or no smoke, let outside air into your vehicle.
- Drink water and stay hydrated to help ensure your nose and mouth are moist.
- If you have chest tightness, chest pain, or shortness of breath, call 9-1-1 or go to the nearest emergency department right away.
- If you have unusual tiredness, contact a community health nurse or your doctor - do this even if you don't have a heart or lung problem.
- If you have an emergency, call 911 or for general health information, call Health Link at 811.
- When administrative controls are unable to reduce exposures to acceptable levels, Canadian Standard Association approved respiratory equipment may be used.

How can workers be protected when doing clean-up work?

- Make sure workers are wearing appropriate protective equipment (respirators, footwear, and clothing) that is easy to clean or dispose of.
- If respirators are required, the worker must be fit tested for the equipment and be medically fit to wear it during work.
- If diesel-powered equipment is needed, the exhaust must be ventilated out of the work site to prevent the build-up of contaminants such as carbon monoxide, nitrogen oxides and diesel particulate.
- Since workers will be doing manual tasks in warm environments while wearing protective equipment, the employer should have procedures in place to address heat stress. The employer should ensure workers are not impaired by fatigue.
- Finally, the employer must ensure workers can decontaminate themselves and their protective equipment, tools and other equipment.
- Workers must not eat, drink or smoke in the work area; the employer should designate a separate area for these activities once workers have been able to decontaminate.

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Should I be concerned about asbestos?

There are a wide variety of building materials in which asbestos was historically used; these materials remain in place in many structures in Alberta. Some examples include stucco, plaster, drywall mud, flooring materials, ceiling tiles and insulation.

If a structure was built prior to 1990, there is a potential for asbestos-containing materials to be present. It's not possible to confirm if a structure contains asbestos by visual examination; a proper survey must be done and samples of the building materials collected and analyzed for asbestos content. This must be done before renovation or demolition activities begin.

If renovations are done in a structure containing asbestos, the asbestos-containing materials in the area of the renovation must be enclosed, encapsulated or removed prior to the renovation. If a structure is to be demolished, the asbestos-containing materials must be removed prior to demolition.

What should I know about using volunteers?

In general, Occupational Health and Safety (OHS) laws apply to all workers, including volunteers and waged non-family farm and ranch workers. There are specific exceptions when working on your own home and for farm workers. Call the OHS Contact Centre if you have questions or concerns: 1-800-415-8690.

Volunteers should:

- identify hazards before they start working;
- not do work they are not trained to do;
- wear proper safety equipment; and
- ask questions or speak up if they are concerned something is unsafe.

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What are employers' obligations under Alberta Occupational Health and Safety (OHS) legislation?

The Alberta *OHS Act* applies to most employers and workers in Alberta. The employer has an overall obligation to protect the health and safety of all workers on their work site. In turn, workers must ensure their health and safety and the health and safety of others around them. In addition, the employer must:

- conduct a hazard assessment and ensure that the appropriate controls are available and in place to protect workers who may be working in fire damaged buildings or involved in remediation activities;
- develop safe work procedures and provide training to workers on these procedures. Workers must participate in this training;
- ensure that all equipment used at the work site is in proper working condition and used in accordance with the manufacturer specifications or specifications certified by a professional engineer;
- assess the potential exposure of workers who may be exposed to harmful substances. If there is an occupational exposure limit listed in the OHS legislation for a substance present at the work site, the employer must ensure that exposure does not exceed the occupational exposure limit;
- ensure that the personal protective equipment selected is appropriate for the hazards at the work site and meets the listed standards;
- if respiratory protective equipment is required, ensure that it is NIOSH approved, workers are fit tested for the equipment and workers are clean shaven where the equipment seals to the skin of the face if the effectiveness of the equipment depends on a facial seal; and
- ensure workers have a way to properly decontaminate themselves, protective clothing, tools and equipment before they leave the work site.

Depending on the nature of the work site and the activities to be done, the OHS legislation may have additional specific requirements that must be followed.

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Contact Us

OHS Contact Centre

Edmonton & Surrounding area

- 780-415-8690

Throughout Alberta

- 1-866-415-8690

Deaf or hearing impaired:

- 780-427-9999 (Edmonton)
- 1-800-232-7215 (Alberta)

Website

work.alberta.ca/ohs