

**WORKERS' SAFETY AND COMPENSATION COMMISSION
NORTHWEST TERRITORIES AND NUNAVUT**



Program Proposal

Discussion Paper

2021

Workers' Safety and Compensation Commission Northwest Territories and Nunavut

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English

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French

Ĉ'bdĀ nŋ'bbΔ^c ΛϱLJΔ^ρ Δ^δbnD^cϱ'PL^bŋ^b, D^ϑϑ^cn^cδ^c D^ϑbcϱ^aϱ^bŋ^c.

Inuktitut

Hapkua titiqqat pijumagupkit Inuinnaqtun, uvaptinnut hivajarlutit.

Inuinnaqtun

KĪspin ki nitawihtĪn ē nĪhĪyawihk ōma ācimōwin, tipwāsinān.

Cree

TĪç hq yatı k'èè` , Dı wegodi newq dè, gots'o gonede.

TĪçhç

ʔerihł'ıs Dēne Sųłné yatı t'a huts'elkēr xa beyáyatı theʔą ʔat'e, nuwe ts'ēn yółtı.

Chipewyan

Edı gondı dehgáh got'ıę zhatıé k'éeé' edatł'éh enahddhę nıde naxets'ę edahlı'.

South Slavey

K'áhshó got'ıŋ e xədə k'é hederı ʔedił tı'é yerııwę nıd é dúle.

North Slavey

Jii gwandak izhii ginjik vat'atr'ijähch'uu zhit yinoththan jı', diits'ät ginohkhii.

Gwich'in

Uvanittuaq ilitchurisukupku Inuvialuktun, ququaqluta.

Inuvialuktun

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Background

In the Northwest Territories (NT) and Nunavut (NU), the legislation that governs workplace safety and compensation are the *Workers' Compensation Acts*, *Safety Acts*, *Explosive Use Acts*, and the *Mine Health and Safety Acts*. These *Acts* and their associated regulations help protect and care for workers and employers. The Workers' Safety and Compensation Commission (WSCC) is the independent statutory agency responsible for administering this legislation and promoting workplace health and safety.

All businesses and organizations in the NT and NU who employ workers must register with the WSCC and make timely annual assessment payments as legislated by the *Workers Compensation Act*. Assessment payments sustain the 'Workers' Protection Fund': providing care for injured workers and a form of collective liability or insurance protection for employers against the cost of workplace injuries and diseases.

It is also a legal requirement for all employers to maintain a safe and health workplace by putting safe work plans and procedures in place. Creating a positive safety culture starts with compliance with the *Safety Acts and Regulations*, but managing health and safety in a workplace is most effective when the leaders of an organization commit to safety as a value¹. This means making sure that safety is a high priority and ingrained in every aspect of how an organization operates. Research shows that this cultural shift results in fewer and less severe workplace injuries and illnesses². Further benefits to overall organizational success include increased productivity, reputational benefits, and staff retention.

The WSCC is currently developing the *Safe Workplace Program* to advance the safety culture in Nunavut and the Northwest Territories by motivating employers to increase their commitment to workplace safety, improve their health and safety programs, and share good practices for injury and accident prevention with other businesses and organizations in their respective fields.

¹ Warrick, D. (2017) What leaders need to know about organizational culture. *Business Horizons*, 60(3), 395-404

²Stemn, E., Bofinger, C., Cliff, D. & Hassall, M. (2019). Examining the relationship between safety culture maturity and safety performance of the mining industry. *Safety Science*, 113. 345-355.

Turner, B. (2000). The Development of Safety Culture. In Mars, G. & Weir D. (Eds.), *Risk Management Volume II: Management and Control*. Routledge: London. <https://doi.org/10.4324/9780429282515>

Cooper, M. (2000). Towards a model of safety culture. *Safety Science*, 36. 111-136.

Pidgeon, N. (1991). Safety Culture and Risk Management in Organizations. *Journal of Cross-Cultural Psychology*, 22(1). 129-140

Purpose

The purpose of this discussion paper is to:

- Provide a brief overview of workplace safety programs and safety culture;
- Introduce WSCC's *Safe Workplace Program*; and,
- Ask for feedback on what motivates employers to improve their safety programs and advance their workplace safety culture.

Feedback gathered from employers will help to inform the future development of the *Safe Workplace Program*.

Safety Programs

The primary objective of a health and safety program is to prevent or reduce work-related accidents, injuries, and occupational diseases. Often referred to as an Occupational Health and Safety Program, or OHS program for short, a safety program details how employers manage all aspects of safety at their workplace.

Safety programs identify **all possible hazards** (behaviour, equipment, materials, work processes) that could cause harm or illness to anyone in the workplace. They determine how risky work is based on how likely it is that an injury or illness can occur (frequency), and how serious the resulting injury or illness could be (severity).

A workplace's safety program maps out those risks and identifies how to control them by determining:

- hazards that can and should be removed from the work;
- solutions or precautions the employer can implement to reduce risks;
- processes, procedures, and required training to ensure work is done safely, and;
- recording and tracking progress to ensure the program is working as intended.

Safety Culture & Safety Communities

Safety culture is a set of shared values and beliefs regarding workplace health and safety, and forms part of an organization's overall operations. It influences how workplace safety is prioritized, and guides workers, employers, and the public in maintaining safety as the ultimate priority for everyone.

Managing health and safety in a workplace is most effective when it is a central part of business operations. When health and safety is a fundamental value in workplaces,

organizations can then look beyond their own operations and work to improve safety at the industry level. Like-minded organizations within specific industries can come together to build a community of health and safety culture by sharing best practices and learning from each other. This is not just a benefit to the health and safety of employees, but benefits a company's overall success. Research has shown organizations that share good health and safety practices as part of a wider, industry-based community are better informed on current practices and procedures in their given field³.

Some safety incentive programs in other parts of Canada include promoting safety leadership through Health and Safety Leadership Charters ([Appendix B](#)). These charters have been instrumental in building safety communities that focus on industry-specific safety practices.

Measuring Safety

Historically, safety performance measures determined how safe or unsafe a business was. These measures looked at the number of workplace incidents an employer had experienced over a set period and the consequences of those incidents:

- Were any workers involved in the incident injured and, if yes, how badly?
 - Was medical treatment required?
 - Are there long-lasting effects of the injury or illness to the workers involved?
 - Are workers able to return to the work they did before the incident?
 - Did any workers die as a result of the incident?

- What was the damage to the business?
 - Did operations have to stop to respond to the incident?
 - Are there damages to property and equipment?
 - How does the incident affect the reputation of the employer?

³ Burk, M. (1999). Knowledge management: Everyone benefits by sharing information. *US Department of Transportation: Federal Highway Administration*, 63(3). 26-29

Kumm, B., Harmon, L., Evans, K., Plunkett, D. & Widuch, D. (2019). The benefits of collaboration: From curriculum mapping to a community of practice. *SCHOLE: A Journal of Leisure Studies and Recreation Education*, 34(2). 71-83.

Li, LI, Grimshaw, J., Nielsen, C., Judd, M., Coyte, P. & Graham, I. (2009) Evolution of Wenger's concept of community of practice. *Implementation Science*, 4(11). 4-11.

These measures only looked at workplace safety *after* something unsafe happened, not what could be done to prevent incidents from happening in the first place.

Safe Workplace Program

The WSCC is developing the *Safe Workplace Program* to support and motivate employers in Nunavut and the Northwest Territories to improve their health and safety programs, to share good practices for injury and accident prevention within their industries, and to become leaders in safety.

The goal of the program is to provide incentives for employers to support them to meet their legal requirements and to increase their commitment to workplace safety, rather than only face penalties after an accident or injury has happened. The program will consider how an employer is performing when it comes to safety, based not only on the number of incidents and their consequences, but also on how well an employer is fulfilling their legal obligations under the legislation and the overall safety culture they have in place.

WSCC's *Safe Workplace Program* has been developed using best practices from other jurisdictions in Canada. WSCC consulted with workplace safety regulators in Nova Scotia, Ontario, Yukon, Manitoba, and Saskatchewan, and researched other compensation boards' health and safety incentive programming.

Safe Workplace Designation

Every year, WSCC requires employers to report their assessable payroll and complete an Occupational Health and Safety questionnaire by the February 28 deadline.

As part of this process in 2022, WSCC will assess all registered employers across five key criteria and recognize those eligible by designating them as a **Safe Workplace** or an **Advanced Safe Workplace** (full criteria explained below).

Eligible employers will receive a printable certificate and digital badge to display at their worksite and on their website. Their business will also appear on a publically accessible searchable *Safe Workplace* database.

Employers with a safety program that has been audited by a third-party program (example: Certificate of Recognition – COR) will receive an **Advanced Safe Workplace** designation, and be considered leaders in their field for safety.

WSCC will support all employers by identifying areas to address and providing information, tools, and resources that will help them to work towards improving their safety program. Safety recognition can provide a competitive edge and benefit employers in their recruitment processes for new employees, as well as helping to retain experienced employees. WSCC will also work toward building a workplace safety community in the North that can benefit all industries through the program.

Safe Workplace Program Criteria

Employers will receive a **Safe Workplace** or **Advanced Safe Workplace** designation from the WSCC if they meet all of the following criteria:

1. Have an active safety program in place as reported through the OHS section of Annual Payroll Reporting (see [Appendix A](#)).
 - a. **OR** for the **Advanced Safe Workplace** designation: Have a safety program accredited through a third party program, such as Certificate of Recognition (COR) or Small Employer Certificate of Recognition (SeCOR). *The accreditation must be based on NT or NU legislation.*
2. Up-to-date on WSCC assessment payments.
3. Time loss claim volume is less than their class average. (WSCC calculates a 5-year industry average to see how an employer compares to others in their industry rate group).
4. No outstanding WSCC Inspection orders or directions for compliance to *Safety Act and OHS Regulations*.
5. No convictions under the *Safety Act*, or workplace fatalities in past 12 months.

Safe Workplace Programming Activities

Being designated a **Safe Workplace** has benefits that the WSCC will continually develop over the coming years based on employer feedback. Ongoing engagement will seek to ensure that these benefits will support and motivate employers in advancing their safety culture. Activities and support may consist of, but not limited to, the following:

I. Health and Safety Tradeshows, Expos, and Special Meetings

As leaders in safety, Safe Workplace employers will be invited to participate in health and safety networking events to exchange ideas and build skills in health

and safety. Through partnerships, WSCC can facilitate virtual leadership conferences on timely health and safety concerns featuring OHS industry leaders to showcase best practices and model effective safety culture.

II. Training by WSCC Partners

The Northern Safety Association (NSA) has developed training in a specifically northern context to support employers in developing their OHS programs. Focused training can address the specific needs of individual employers.

III. Roundtable Discussions with Leaders in Health & Safety

Facilitated by WSCC and partners, **Advanced Safe Workplace** leaders can participate in industry-specific round table discussions for health and safety. Discussion focus will be on best practices used to overcome challenges in implementing health and safety procedures in the workplace for injury prevention and improved return to work outcomes.

WSCC will work with employers to bring leadership to the table and offer guidance and good practice modelling to employers as they continue to develop their health and safety programs.

Next Steps

WSCC has laid the foundation for the *Safe Workplace Program* and we are now asking our stakeholders to tell us if it is relevant and timely, as well as to provide suggestions for future incentives. We are very appreciative of your time and effort in helping to make this program successful.

As we move forward in the development of this program, we want to know what motivates you to invest in creating and maintaining a safe workplace. On the pages that follow, you will find a summary of similar programs from across Canada that can inform your feedback.

If you have any questions about the *Safe Workplace Program*, or would like to stay involved in the ongoing development and implementation of this program, please visit:

<https://www.wscn.nt.ca/employer-services/safe-workplace-program>

Appendix A: OHS Program Questionnaire

WSCC requires all employers to report payroll figures and Occupational Health and Safety (OHS) information by February 28 each year.

It is the responsibility of all employers, no matter the size or industry type, to maintain a healthy and safe workplace. The questions below cover the basic elements required under the *Safety Act* and *OHS Regulations* and assist employers and the WSCC identify gaps that may exist in an employers' OHS Program.

OHS Questions	Yes	No
<p>1. Do you have an Occupational Health and Safety Policy? (A commitment to health and safety that informs supervisors, workers, contractors, and visitors of their duties and responsibilities and how health and safety will be managed in your business)</p>		
<p>2. Do you have a Hazard Identification and Control Plan? (A step-by-step repeatable process that identifies, eliminates or manages, and documents all the hazards that exist in your workplace that could harm workers)</p>		
<p>3. Do you have an Emergency Response Plan? (A worksite-specific plan that informs every person in your workplace what they must do in an emergency and identifies potential emergency situations such as fire or flooding)</p>		
<p>4. Do you have defined OHS roles and responsibilities? (Safe work practices and procedures that outline each person's responsibilities and duties for health and safety according to their level of abilities and authority)</p>		
<p>5. Do you have worksite inspection guidelines? (Procedures and checklists that include the "who", "how", and "when" to perform regular checks on the worksite, including equipment, tools and machinery)</p>		
<p>6. Do you have incident investigation and reporting procedures? (Outlines the steps to take in the event of a fatality, injury, illness or near miss to identify what happened, how it happened, any corrective actions and how to prepare a report on the incident)</p>		
<p>7. Do you have a worker orientation process? (Introduces all new workers or returning workers to the health and safety policies and procedures at their worksite)</p>		

<p>8. Do you have OHS training? (Training to ensure workers have the knowledge and skills they need to do their tasks safely)</p>		
<p>9. Do you have control of hazardous substances (Workplace Hazardous Materials Information System WHMIS)? (Hazardous substances must be handled and stored according to their Safety Data Sheets. All workers who work with a hazardous product, or who may be exposed to a hazardous product must have general WHMIS training, or job-specific WHMIS for hazardous materials particular to your workplace)</p>		
<p>10. Do you have a safe and timely return to work program? (A plan that outlines what processes an employer has in place to help injured workers get back to suitable duties at work as soon as it's medically safe)</p>		
<p>11. Do you have an OHS Representative? (A worker who addresses safety concerns with the employer and the workers)</p>		
<p>12. Do you have a Joint OHS Committee? (A group made up of an equal number of employer (management) and worker representatives who meet regularly to deal with health and safety issues)</p>		

Appendix B: Health & Safety Leadership Charters

Nova Scotia and Saskatchewan have effective workplace safety programming based on Health and Safety Leadership Charters. These Charters are a commitment to continuous growth in positive workplace safety culture, and acknowledge that the effective management of health, safety, and wellness is essential to the operation of a successful business.

This type of programming builds a community of expertise in health and safety, and supports businesses that are striving to become better in integrating health and safety into their practice.

Industry leaders become part of the solution of lessening the burden of workplace injury and disease by leading the health and safety priorities in their communities. These leaders in safety benefit from the recognition of being community leaders and injury prevention champions, as well as engaging in provincial and national health and safety leadership learning communities. They are also able to realize returns on their investments in health and safety.

Those who sign the Charters in either Nova Scotia or Saskatchewan are agreeing to uphold certain workplace safety principles:

- Nothing is more important than the health, safety and wellbeing of employees, contractors, visitors and the community.
- They will integrate health and safety into business strategies and processes, and to recognize that good health and safety performance supports good business.
- They will strive for continuous health and safety improvement and to provide the leadership and internal capacity to make this happen.
- They will create and enhance a culture that enables all employees to participate and work collaboratively in developing, promoting, and improving health and safety at work and at home.
- They will participate within a health and safety leadership learning community by sharing information and best practices, with the goal of continuously improving health and safety strategies, programming and performance.

Appendix C: Interjurisdictional Review – Canadian Programs

Summary of Interjurisdictional Review

Every workers' compensation board in Canada has a health and safety incentive program to encourage employers to advance their workplace safety culture. Common criteria elements include: requiring a Certificate of Recognition (COR), paid assessments, no pending litigations, no convictions, and no workplace deaths.

The most common incentive for Canadian programs is repayment of assessments for employers who are above average in their sub-classes for injury claims. This sub-class comparison may be calculated in different ways, such as using a cost ratio or repayment of a percentage of assessments based on the annual amount.

Yukon – CHOICES

Program Overview

Yukon's incentive program CHOICES financially rewards employers who take steps to improve workplace safety and return to work outcomes through investments made in work-related occupational health and safety and return to work training. Such training leads to practices that create and advance safe and healthy workplaces. Fewer injuries and lower associated costs lead to lower assessment rates.

Criteria

1. Be registered with Yukon Workers' Compensation Health and Safety Board;
2. Have paid assessment premiums in the previous year;
3. And
 - a. be COR program certified;
 - b. have an equivalency or a temporary letter (e.g. COREL or TLC); or
 - c. have obtained a minimum number of work-related occupational health and safety or return to work training hours for their workers in the previous year.

Incentives

Rebates range from 4% to 10% of annual WCB assessment, up to \$25,000 per year. COR- and SECOR-certified businesses automatically qualify for a 10% rebate.

British Columbia – Partners Program/COR™

Program Overview

As part of the COR™ program, employers in British Columbia whose occupational health and safety management systems have passed an audit, and are in good standing with WorkSafeBC, are considered for financial incentives. Incentive payments are calculated using a company's assessable payroll and the base rate for their classification unit (CU) (what we call a sub-class at the WSCC) or the incentive year.

Criteria

- Successfully pass a COR™ audit and receive certification.

Incentives

WorkSafeBC uses the following calculation to determine the incentive amount:

- Employer's reported assessable payroll x (CU base rate / 100) x 10%

Employer 'X' - CU 704002 Oil or Gas Drilling		
2005 Assessable Payroll	-	\$5,993,741
2005 CU Base Rate	-	\$3.25 / \$100 of Assessable Payroll
Calculation: (10% x CU Base Rate) x Assessable Payroll		
$\left(10\% \times \frac{\$3.25}{\$100}\right) \times \$5,993,741$		
10% calculated rebate = \$19,479.66		

Alberta – Partnerships in Injury Reduction

Program Overview

The Workers' Compensation Board – Alberta (WCB) works with the Ministry, Certifying Partners and employers to offer WCB premium incentives through the *Partnerships in Injury Reduction* program.

Criteria

- Successfully pass a COR™ audit and receive certification.

Incentives

Employer performance is compared to the industry average. Refunds range from 10% to the maximum of 20% if a workplace performs significantly better than their industry average over two consecutive years.

Saskatchewan – Experience Rating Program

Program Overview

Saskatchewan's Experience Rating Program (ERP) adjusts premium rates to reflect a company's claims history. Employers may receive a discount for a good claims record, or be surcharged for a poor claims record.

Criteria

The Standard Program (employers with less than \$21,000 in premiums) is frequency-based. The discount or surcharge is strictly based on the number of time-loss claims in the evaluation window, where only 0 time-loss claims may result in an incentive.

The Advanced Program (employers with premiums equal to or greater than \$21,000) is based on claims costs within the three-year evaluation window.

Employers who are not eligible for discounts are those who have:

- A workplace fatality, and is accepted in either the rate setting year or the previous year;
- Not submitted their payroll records during the current year; or
- Been convicted of a criminal offence under section 217.1 of Canada's Criminal Code in the current or previous year. This law defines criminal charges for employers who fail to provide safe workplaces.

Incentives

Businesses that receive a discount are issued a **certificate of achievement**.

Businesses with multiple rate codes are not eligible for a certificate if there is a surcharge in any of their rate codes.

Standard Program discount and surcharge calculation:

The Standard Program is based on the number of time-loss claims within the three-year evaluation window. An employer must have paid the minimum assessable premium in each year of the evaluation window to be eligible.

The greater the number of time-loss claims, the higher the surcharge amount. Claims recorded as time loss for medical appointments only are not considered in the calculation.

For example:

- An employer with no time-loss claims in three years may be eligible to receive a 25 per cent discount.
- An employer with four time-loss claims within the same time period will receive a 50 per cent surcharge.

Employers who move from the Standard Program to the Advanced Program will maintain their discount or pay the industry premium rate until a new claim is recorded in the most recent year of the evaluation window. This is intended to ease the transition from a frequency-based Standard Program to a cost-based Advanced Program.

Advanced Program discount and surcharge calculation:

The base discount or surcharge is calculated by comparing a company's weighted loss ratio with their industry's weighted loss ratio (WLR).

- Employer WLR < Industry WLR = Discount
- Employer WLR > Industry WLR = Surcharge
- Employer WLR = Industry WLR = Base Industry Rate

For every 3.33% better your rate is than the industry ratio, an employer can receive up to one per cent of potential discount.

For every 1.5% worse than the industry, up to one per cent of surcharge is applied.

The experience rate discount/surcharge is calculated by combining the base discount or surcharge with the participation factor and the eligibility factor.

Experience rate discount/surcharge = base discount/surcharge X eligibility factor X participation factor.

Manitoba – Prevention Rebate Program

Program Overview

Manitoba's Prevention Rebate Program reduces the risk of workplace injury and illness by rewarding employers who have developed and maintained meaningful workplace safety and health management systems.

Criteria

The primary criteria an employer must meet to receive the prevention rebate is to be certified by a certifying partner.

Once certified, an employer must meet the following eligibility criteria to receive the prevention rebate:

- Ensure certification is not under review;
 - Complete and submit a maintenance or recertification audit;
 - Complete the rebate eligibility period (an employer's rebate eligibility period is the 12-month period starting from their certification anniversary date);
 - Comply with safety and health legislation (an employer must not have received any administrative penalties or convictions during the eligibility period);
 - Maintain an active WCB account; and,
 - Complete WCB annual payroll reporting (including actual payroll and total hours worked) and ensure no prior payroll reporting has been missed.
- Note: this is not required for employers carrying personal coverage only.*

Incentives

Eligible employers will receive a rebate of the greatest of 15% of their premium or \$3,000, to a maximum of 75% of their premium.

For example, an eligible employer who paid \$4,000 in premiums for a given year would receive a \$3,000 rebate, representing 75% of their premiums. An eligible employer who paid \$100,000 in premiums for a given year, would receive a rebate of \$15,000, or 15% of their premiums.

The premium used to calculate the prevention rebate is the net amount after any safety levy has been collected, or safety program discount applied on behalf of an industry-based safety program.

The rebate will be calculated using the actual payroll associated with the rebate eligibility period and will not be based on estimated payroll. The year of the rebate eligibility period start date is the actual payroll year used to calculate the prevention rebate. For example, if an employer's rebate eligibility period is October 10, 2017 to October 9, 2018, the actual payroll for 2017 is used to calculate the prevention rebate.

Ontario Ministry of Labour – Supporting Ontario’s Safe Employers

Program Overview

Supporting Ontario’s Safe Employers is a voluntary Ministry of Labour, Training and Skills Development program run by the Chief Prevention Officer (CPO). It promotes health and safety in the workplace and helps reduce injuries and illness.

The program is made up of two parts:

- **Accreditation** of an Occupational Health and Safety Management System (OHSMS)
- **Recognition** of employers who have successfully implemented an accredited OHSMS and meet other criteria set by the CPO

If an organization is recognized by the CPO, they may also be eligible for financial incentives from the Workplace Safety and Insurance Board (WSIB).

The Supporting Ontario’s Safe Employers Program does not affect *Occupational Health and Safety Act* (OHSA) enforcement by the Ministry of Labour, Training and Skills Development at workplaces of recognized employers. Ministry inspectors will continue to perform proactive inspections based on risk. Inspectors will continue to apply and enforce the OHSA and its regulations.

Criteria

To be eligible for recognition, an employer must:

- Successfully implement an Occupational Health and Safety Management System (OHSMS) accredited by the CPO;
- Be audited by a third party to verify they have successfully implemented their OHSMS;

- Meet compliance criteria that demonstrates compliance with the *Occupational Health and Safety Act*, and;
- Demonstrate a commitment to worker participation and the internal responsibility system at the workplace.

As of November 2019, the Ontario CPO has accredited the following standards:

- **ISO 45001:2018:** Occupational health and safety management systems – Requirements with guidance for use
- **CSA Z45001-19:** Occupational health and safety management systems – Requirements with guidance for use
- **BS OHSAS 18001: 2007:** Occupational health and safety management system – Requirements
- **IHSA COR™ 2020:** IHSA Certificate of Recognition 2020-Health and Safety Management System-Standard

Incentives

Successfully qualifying employers will be posted on the Ministry of Labour website and be able to brand themselves as “CPO-recognized” and may also qualify for incentives through the WSIB Health & Safety Excellence program.

Ontario Workplace Safety and Insurance Board – Health & Safety Excellence

Program Overview

The WSIB Health and Safety Excellence program is a performance-based incentive program based on OHS program and training level. Employers fall into one of three levels, based on health and safety knowledge: Foundations, Intermediate, Advanced.

1. Foundations

Essential topics provide a foundation for a health and safety program. Examples of topics include: first aid, health and safety responsibilities and control of hazards. Completion of 10 topics is required for this level.

2. Intermediate

Intermediate topics further build and customize a health and safety program or management system. Examples of topics include: emergency prevention

and preparedness, return to work roles and responsibilities and corrective action. Completion of 17 topics is required for this level.

3. Advanced

Advanced topics integrate and optimize a health and safety management system. Examples of topics include: change management and procurement, health and safety continual improvement planning and external audit. Completion of 9 topics is required for this level.

Criteria

Once an employer has completed the health and safety topics, they submit evidence of work so they can earn rebates and other recognition.

A business may be selected for an onsite validation to ensure that specific health and safety topics are part of their workplace culture. This is not an audit of the entire health and safety program – it is an opportunity for employers to receive feedback from health and safety experts, identify best practices, and get recommendations for improvement.

Incentives

Rebates are provided for businesses who complete online modules.

Businesses with less ability to impact their rates will receive a 2% rebate per topic.

Businesses with more ability to impact their rates will receive a 1.4% rebate per topic.

This is because these businesses will see greater reductions in their premium rates as their health and safety experience improves. Rebates are based on annual WSIB premiums.

For small businesses, there is a minimum rebate of \$1000 per completed topic. To learn more about minimum and maximum rebates, see the Program Guidelines.

There is a rebate calculator (XLS) feature to estimate potential rebates. To use it, employers need to know:

- Total premiums for the past 12 months.
- Predictability percentage.
- The number of health and safety topics employers are planning to complete.

Aside from the financial rebate, employers can also receive recognition badges to use on their website, email signature, and advertisements. This shows the public an employer's commitment to workplace health and safety. Badges also show on business profiles on the WSIB website when people search for safety statistics.

New Brunswick – Large Employer Experience Rating Program

Program overview

Large employers in New Brunswick that pay more than \$500,000 in annual premiums can choose to participate in the Safety Achievement Financial Incentive System (SAFIS). It is a retrospective program that compares premiums paid to costs incurred. When costs are lower than anticipated, employers receive refunds, and when costs are higher than anticipated, they must pay a surcharge. The SAFIS program gives large employers the assurance that they are paying their fair share.

Criteria

In order to be eligible for assessment rebates or withdrawals other than for investments in safety and/or return-to-work initiatives, the employer must, to the satisfaction of WorkSafeNB, comply with all of the following conditions:

- The employer has put a process in place for improving health and safety, and has a return to work strategy, which is verifiable using the audit protocol;
- The employer has met its commitment for increasing its audit score;
- The employer has addressed audit recommendations to the satisfaction of WorkSafeNB;
- The employer has maintained its accounts in good standing including prompt payment of assessments and any surcharges under this policy, over the previous three years, or since joining the SAFIS program, if shorter;
- There is no evidence that the employer has arranged its affairs to artificially reduce claim costs taken into account under this policy;
- There is no evidence of undue pressure on workers to return to work before they are able;
- The employer has not been convicted under the Criminal Code as a result of a workplace fatality in the previous calendar year;
- The employer has satisfied any request for additional security described in the policy; and
- The employer has made any necessary payment on termination of participation described in the policy.

In addition, where an employer has had an increase or decrease in payroll in any single year in the previous five years of more than 25%, and WorkSafeNB believes that this may significantly impact the adequacy of the assessment rate charged, WorkSafeNB may reduce or defer any assessment rebates or withdrawals normally available.

Incentives

Participating employers may be eligible for refunds or responsible for surcharges.

In order to establish the amount of any refund or surcharge, each participating employer is given a claim costs schedule, for each accident year, which is developed as described in program policy.

At the end of the year of accident, and at the end of each of the following seven years, actual claim costs are compared to the entries on the schedule and a refund or surcharge is calculated as follows:

- If actual claim costs are less what is anticipated in the schedule, the employer is eligible for a refund equal to 100% of the difference; or
- If actual claim costs are greater than those anticipated by the schedule, the employer is responsible for a surcharge equal to 100% of the difference, limited by the following:
 - The claim costs charged in respect of any particular accident year cannot exceed the maximum described in the program policy.

At the end of the seventh year following the year of accident, the accident year is “closed” and a refund or surcharge is calculated as follows:

- A provision for anticipated future cost of claims is calculated using methodologies and assumptions that are consistent with those used for assessed employers in general. This provision includes an amount to meet WorkSafeNB’s funding goal at the time of the calculation, as described in Policy 37-100 – Long Term Fiscal Strategy. WorkSafeNB is solely responsible for determining the provision for anticipated future cost of claims;
- This provision is compared against the “residual amount” in the claim costs schedule described in section 1.6. If this provision is less than the residual amount in the claim costs schedule, the employer is eligible for a refund equal to the difference; and,
- If this provision is greater than the residual amount in the claim costs schedule, the employer is responsible for a surcharge equal to the difference, limited by the following:
 - The claim costs including the provision charged with respect to any particular accident year cannot exceed the maximum described in the program policy.

In the event of a retroactive adjustment, such as a cost relief decision or an Appeals Tribunal decision, the claim cost adjustment will be reflected in the year the decision was processed.

Beyond the end of the seventh year following the year of accident, additional claim costs and retroactive claim decisions have no impact on refunds or surcharges calculated under SAFIS.

At the end of each calendar year, refunds and surcharges for all accident years are combined together in order to determine the overall refund or overall surcharge for a participating employer.

Prince Edward Island – Experience Rating Program

Program Overview

The Experience Rating Program offers a financial incentive to create safer workplaces in PEI. At the same time, the program allows the costs of workers compensation to be shared fairly among Island employers. With experience rating, an employer's assessment rate is determined in large part by their firm's own experience as it compares to other employers in the same industry.

The Experience Rating Program spreads the costs of workers compensation fairly across employers within each rate group. A business's experience, or history of claims, determines their rate. If an employer has a lower cost of claims than other employers in their industry, they will receive a discount on their rate. If they have a higher cost of claims, their rates are higher.

Criteria

An employer must participate in this program if they require WCB coverage, or if they paid a total of \$3000 or more to the WCB over the last three years.

Incentives

A business' history of costs associated with workplace injury is used to calculate their experience rating. Part of that calculation is determining their cost ratio over a three-year period. The cost ratio is an employer's total claim costs divided by the total payroll used to calculate their WCB rate. Then their cost ratio is compared to that of their rate group.

If an employer has a lower cost ratio than their rate group average, they will receive a discount of up to 25% on their rate.

Nova Scotia – Practice Incentive Rebate

Program Overview

Employers whose health and safety systems successfully meet the requirements of a recognized health and safety accreditation program, such as the WCB's Safety Certified accreditation or the Nova Scotia Construction Safety Association's Certificate of Recognition (COR), receive rebates of a percentage of their assessment premiums.

Criteria

1. Program Eligibility Criteria

To qualify for the practice incentive rebate, an employer must meet the following requirements:

- Employer must operate in the construction or trucking industry, as defined and classified by the WCB;
- Employer must have a health and safety management system in place that has successfully passed a certification audit by a WCB-approved audit provider using a WCB-approved audit instrument;
- Employer must pass the certification audit and receive certification prior to December 31st of the qualifying year;
- Employer must be in good standing with WCB of NS at the time the rebate is issued. This means the employer:
 - Has WCB coverage;
 - Has met all payroll reporting requirements; and
 - Has paid all premiums to date.
- Employer must have no compensable fatal claims during the qualifying year and up to the date the rebate is issued.
- For surcharged employers, if they do not show a minimum of 25% improvement in their cost experience ratio three years following the initial practice incentive rebate received once surcharged, they will not be eligible for further rebates from

this point forward until they can show this minimum improvement or until they are no longer in a surcharge position.

An employer who does not meet the criteria established by the WCB will not receive the practice incentive rebate until the criteria are met, as determined by the WCB.

2. Practice Incentive Rebate

An employer who obtains health and safety management system certification (i.e. COR) and who has met the criteria outlined in this policy will receive the following rebate:

- A 5 per cent rebate of assessment premiums paid in the qualifying year for employers with premiums of \$10,000 and above; or
- A 10 per cent rebate of assessment premiums paid in the qualifying year for employers with premiums of \$5,000 or less; or
- A \$500 rebate for employers with premiums between \$5,001 and \$9,999.

Incentives

An employer who obtains health and safety management system certification (i.e. COR) and who has met the criteria outlined in the program's policy will receive the following rebate:

- A 5 per cent rebate of assessment premiums paid in the qualifying year for employers with premiums of \$10,000 and above; or
- A 10 per cent rebate of assessment premiums paid in the qualifying year for employers with premiums of \$5,000 or less; or
- A \$500 rebate for employers with premiums between \$5,001 and \$9,999.

An employer is eligible for a practice incentive rebate each assessment year. To be eligible for subsequent practice incentive rebates an employer must maintain health and safety management certification (i.e. COR) and meet the eligibility criteria outlined above in section 1.

Nova Scotia – WCB Certified Program

Program Overview

A WCB Safety Certified accreditation is issued to companies in Nova Scotia who have passed an audit of their health and safety management system. The audits are

conducted by audit providers approved by the WCB to conduct WCB Safety Certified audits.

Incentives

Some procurement processes require WCB certification. Companies who want to bid on work for the Government of Nova Scotia, for example (particularly construction work for the Department of Transportation and Infrastructure Renewal) are required to have passed an audit of their health and safety management system by a WCB-approved audit provider. In recent years, a number of other major companies, universities, and municipalities in Nova Scotia have adopted this requirement as part of their tendering processes.

Newfoundland – PRIME

Program Overview

The Prevention and Return-to-Work Insurance Management for Employers/Employees (PRIME) recognizes workplaces in Newfoundland that comply with designated OHS and return-to-work (RTW) practices through financial incentives. Both compliance (implementation of OHS & RTW programs) and low claims costs may be rewarded through rebates, whereas high claims costs may result in charges being levied.

Criteria

The criteria for the PRIME Program are based on a business's Employer Category, OHS, and return-to-work requirements.

The four employer categories are:

1. **No Committee or Representative Required (NCRR) Employer:** At each worksite, you employ less than two workers and you pay less than \$48,000 in average assessments.
2. **Small Employer:** At each worksite, you employ less than 10 workers and you pay less than \$48,000 in average assessments.
3. **Medium Employer:** At one or more worksites, you employ 10 or more workers and you pay less than \$48,000 in average assessments.

- 4. **Large Employer:** At one or more worksites, you employ 10 or more workers and you pay \$48,000 or more in average assessments.

The number of workers at each site includes all managers, non-managers, and owners/operators.

Incentives

- **PRIME Practice Incentive:** Employers may receive a 5 per cent practice refund on their average annual assessments by having good OHS and return-to-work programs in place.
- **PRIME Experience Incentive:** Employers who manage their claims costs through early and safe return-to-work programs can receive an experience refund, while employers with high claim costs may receive an experience charge. You must first qualify for a practice refund to be considered for an experience refund. However, employers will always be subject to experience charges if applicable.

Practice Requirement	Employer Category *			
	NCRR	Small	Medium	Large
Policy Statements	✓	✓	✓	✓
Injury Reporting System	✓	✓	✓	✓
Worker H&S Representative, Designate &/or an OH&S Committee		✓	✓	✓
Occupational Health and Safety Program			✓	✓
Return-to-Work Program				✓

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