



TITLE

HEALTH AND SAFETY CONCERN RESOLUTION

SCOPE

Provincial

APPROVAL AUTHORITY

People Executive Committee

SPONSOR

Workplace Health and Safety

PARENT DOCUMENT TITLE, TYPE AND NUMBER

Workplace Health and Safety Policy (#1121)

DOCUMENT #

WHS-STD-03

INITIAL EFFECTIVE DATE

April 8, 2014

REVISION EFFECTIVE DATE

October 29, 2019

SCHEDULED REVIEW DATE

October 29, 2022

NOTE: The first appearance of terms in bold in the body of this document (except titles) are defined terms – please refer to the Definitions section.

If you have any questions or comments regarding the information in this document, please contact the Policy & Forms Department at policy@ahs.ca. The Policy & Forms website is the official source of current approved policies, procedures, directives, standards, protocols and guidelines.

OBJECTIVES

- To provide guidance to an **AHS worker** on the process for reporting, resolving, or escalating believed **health and safety concerns**.

APPLICABILITY

Compliance with this document is required by all Alberta Health Services employees, members of the medical and midwifery staffs, Students, Volunteers, and other persons acting on behalf of Alberta Health Services (including contracted service providers as necessary).

ELEMENTS

1. Key Principles

- 1.1 This Procedure applies to health and safety concerns that have been reported by any AHS worker. This Procedure does not amend or restrict the health and safety provisions in the various Collective Agreements or the *Occupational Health and Safety Act* (Alberta).
- 1.2 This Procedure does not apply to a health and safety concern that constitutes **dangerous work** or results in a dangerous work refusal (see the *Dangerous Work Refusal Standard and Process*).
- 1.3 This Procedure does not apply to a health and safety concern that involves workplace harassment or workplace violence concerns which are covered by the *Respectful Workplaces and the Prevention of Harassment and Violence Policy* and associated procedures.

- 1.4 This Procedure does not apply to a health and safety concern that involves privacy considerations. The use of reporting mechanisms outlined in the *Privacy Protection and Information Access Policy* and other related privacy policies shall be followed.

2. Health and Safety Concern Resolution Process Principles

- 2.1 When a health and safety concern is identified by an AHS worker, the AHS worker shall attempt to resolve the concern, if able to do so safely, and report the concern to their **supervisor or manager**.
- 2.2 Resolution of health and safety concerns starts at the step in the resolution process where the concern was identified and is to be dealt with in a timely manner, without unnecessary delay, and when safe to do so.
- 2.3 Where the AHS worker has not been able to resolve the concern, the supervisor or manager shall then take additional steps to ensure the concern is resolved, the causes are investigated, and the investigation is adequately documented.
- 2.4 All reasonable and available resources should be exhausted to resolve the concern before the concern is escalated to the next step.
- 2.5 Concerns shall be dealt with in a fair and impartial manner.
- 2.6 If the concern has not been resolved to the satisfaction of any involved party, the concern may be escalated by the unsatisfied party to the next step of the resolution process.
- 2.7 Relevant stakeholders shall be invited to participate in the resolution process when required. These stakeholders may include, but are not limited to:
- a) Workplace Health & Safety Business Partnership (WHSBP);
 - b) Human Resources Business Partnership (HRBP);
 - c) **Joint Workplace Health & Safety Committee (JWHSC)** or **Health and Safety Representative (HSR)**; and
 - d) the Union representing the AHS worker who raised the concern.
- 2.8 The status of the concern resolution shall be communicated to the AHS worker who raised the concern, and all other involved parties, at each step of escalation.
- 2.9 It is the responsibility of the involved party not able to resolve or not satisfied by the concern resolution to request an escalation to the next level of management and/or the Joint Workplace Health Safety Committee or Health & Safety Representative.

2.10 Notwithstanding any provision of this Procedure, there is no limitation on an individual exercising their express rights under the *Occupational Health and Safety Act*, Regulations, adopted Codes (Alberta), and applicable Collective Agreements.

3. Concern Resolution Process

There are four (4) steps within the concern resolution process:

3.1 Step One (1)

- a) An AHS worker identifies a health and safety concern and takes action to resolve the concern if able and notify their direct supervisor of the concern.
- b) If the AHS worker is unable to resolve the concern, or being without the necessary authority or responsibility to do so, they shall notify their direct supervisor of the concern and report the concern in MySafetyNet.

3.2 Step Two (2)

- a) Where a concern has not been resolved at Step One (1), the supervisor or manager responsible for the area related to the concern shall exhaust all reasonable and available resources, with HRBP and/or WHSBP support if required, to resolve the concern.
- b) All concerns reported to the supervisor or manager shall be made safe with interim measures until an acceptable resolution of the concern can be attained.
- c) Supervisors or managers shall update MySafetyNet with any investigation findings and corrective actions taken.
- d) Where a concern cannot be resolved, the supervisor or manager does not have the necessary authority or responsibility to resolve, or the resolution is not acceptable to an involved party, the concern may be escalated to the next step in the process (Step Three [3]).
 - (i) It is the responsibility of the involved party not able to resolve or not satisfied by the concern resolution to request an escalation to the next step.
- e) The status of the concern resolution shall be communicated to the AHS worker who raised the concern, and all involved parties, by the supervisor or manager.

3.3 Step Three (3)

- a) Where a concern has not been resolved at Step Two (2), and a request for escalation has been submitted to the next level of management and/or the JWHSC or HSR, all reasonable and available resources to resolve the concern shall be exhausted.
- b) The next level of management, JWHS Committee or HSR shall collaborate on:
 - (i) the identification of causes and corrective actions; and
 - (ii) the development and communication of recommendation(s) to the designated employer representative.
- c) The JWHSC shall perform the duties assigned to them per legislation and as outlined by the JWHSC Terms of Reference.
 - (i) The Zone WHS Director may be contacted to support the resolution process if required.
- d) The status of the concern resolution shall be communicated to the AHS worker who raised the concern, and involved parties, in a timely manner.

3.4 Step Four (4)

- a) Where a concern has not been resolved, or the next level of management, JWHSC or HSR does not have the necessary authority or responsibility to resolve the concern, or the resolution is not acceptable to an involved party, the concern may be escalated in accordance with any relevant Collective Agreement(s).
- b) Unresolved concerns related to non-union exempt employees (NUEE), members of the medical and midwifery staffs, students, and volunteers shall be escalated to **Senior Management** in accordance with approved processes and/or bylaws.

4. Contacting Alberta Labour

- 4.1 At any point in the concern resolution process, the concern may be referred to the Alberta Ministry of Labour, Occupational Health and Safety by any involved party. AHS' internal concern resolution process continues to be followed.

5. Roles and Responsibilities

- 5.1 AHS workers are responsible to:
 - a) participate in the identification and resolution of health and safety concerns;

- b) resolve identified concerns if able to do so safely and notify their direct supervisor of the concern or, if not able to resolve the concern, notify the next level of responsibility; and
- c) report the concern following the appropriate AHS reporting process (i.e. MySafetyNet).

5.2 Supervisors or managers are responsible to:

- a) participate in the identification and resolution of health and safety concerns;
- b) work to resolve identified concerns in a timely matter when notified, or if unable to resolve the concern escalate the concern to the next step in the Health and Safety Concern Resolution process.
- c) inform all involved parties of the concern resolution progress; and
- d) document investigation findings and actions following the appropriate AHS reporting process (i.e. MySafetyNet); and
- e) provide the investigation report, when requested, to the AHS worker who raised the concern and all involved parties.

5.3 Senior Management is responsible to:

- a) ensure that concerns brought to Senior Management's attention are dealt with in a timely manner;
- b) resolve concern(s) to the maximum extent possible, within reason;
- c) ensure that AHS workers and supervisors or managers are encouraged to promptly report health and safety concerns; and
- d) invite relevant stakeholders to consult and cooperate on the resolution process, where required, as per the *Incident Management Process* and applicable *Collective Agreements*.

5.4 Joint Workplace Health and Safety Committee (JWHSC) or Health & Safety Representative (HSR) is responsible to:

- a) provide advice and support to AHS workers, supervisors or managers on the resolution of health and safety concerns;
- b) participate in the identification of corrective actions;
- c) participate in the development of recommendations; and

- d) ensure that AHS workers, supervisors or managers are encouraged to promptly report health and safety issues through the appropriate AHS channels.
- 5.5 Workplace Health and Safety is responsible to provide advice and support to AHS Workers, supervisors or managers, and JWHSCs on this Procedure and *Incident Management Process*.
- 5.6 Human Resources Business Partners are responsible to provide advice and support to AHS workers, supervisors or managers on this Procedure.

DEFINITIONS

AHS worker means AHS employees, members of the medical and midwifery staffs, students, and volunteers, but excludes contracted service providers and their workers.

Dangerous work means, as outlined in Part 4 of the Alberta *Occupational Health & Safety (OHS) Act*, as a worker who believes on reasonable grounds that there is a dangerous condition at the work site or that the work constitutes a danger to the worker's health and safety or to the health and safety of another worker or another person. This may include:

- hazards that pose a danger to workers where the hazard has not been assessed and appropriate controls implemented;
- the operation of faulty or broken equipment;
- a situation for which workers are not properly trained, equipped or experienced to work safely (e.g., being asked to complete a task or operate a piece of equipment without training or without necessary personal protective equipment); or
- where the hazard control normally in place for a danger is no longer available or adequate.

Health and safety concern means a believed health and safety hazard or concern in the workplace that has, or may have, an undesired impact on the health and safety of a worker or group of workers.

Health and Safety Representative (HSR) means a worker representative working cooperatively with the employer to resolve health and safety concerns that may arise in the workplace in the absence of a JWHSC.

Joint Workplace Health and Safety Committee (JWHSC) means a group of employer and worker representatives working cooperatively to resolve health and safety concerns that may arise in the workplace.

Manager means the individual(s) who has the delegated human resource authority for directly planning, monitoring, and supervising direct reports.

Senior Management means the President and Chief Executive Officer, all executive positions that report directly to the President and Chief Executive Officer, and any other positions so designated by the President and Chief Executive Officer.

Supervisor means a person, whether unionized or non-unionized, who has charge of a work site or authority over an AHS worker.

REFERENCES

- Alberta Health Services Governance Documents
 - *Dangerous Work Refusal Standard (#1121-01)*
 - *Privacy Protection and Information Access Policy (#1177)*
 - *Respectful Workplaces and the Prevention of Harassment and Violence Policy (#1115)*
 - *Workplace Health and Safety Policy (#1127)*
- Alberta Health Services Resources:
 - Collective Agreements
 - *Dangerous Work Refusal Process*
 - *Health and Safety Concern Resolution Procedure Algorithm*
 - Incident Management Program
 - *Workplace Violence or Harassment Process*
- Non-Alberta Health Services Documents:
 - *Occupational Health and Safety Act (Alberta)*

VERSION HISTORY

Date	Action Taken
October 29, 2019	Revised, includes change in Title from "WHS Issue Resolution Standard" and change in Document Type from Standard
Click here to enter a date	Optional: Choose an item