

What's a Workwell program?

The Workplace Safety Insurance Board's (WSIB) Workwell audit is a review of all aspects of workplace health and safety including policies, standards, training, records, performance and employee representation. The report from WSIB will indicate the strengths in health and safety and identify areas requiring improvement.

Organizations that do not achieve a passing score of **75%** are given six months to improve before a re-evaluation. Failure to pass the second evaluation can result in additional premium charges up to **75%** of the current annual WSIB premiums. In one Ontario employer's case, this meant additional charges of up to **\$500,000**.

How will the Workwell Evaluation Take Place?

Workwell evaluators will verify occupational health and safety programs and the level of employee knowledge using the following process:

Documentation – includes reviewing written policies, procedures, minutes etc.

Interviews – are to be conducted with representatives of health and safety committees, random interviews with management/supervision and workers while touring the workplace.

Observation – viewing work practices and processes related to health and safety

How Should I prepare?

Starting Points:

- Are you aware of / have a Workplace health and safety policy?
- Has your management personnel and workers received health & safety specific training? Does this include training that is specific to your organization or departments?
- Have you attended a **Bill C- 45 Due Diligence** training program?

Bill C-45 Due Diligence training: Under the Occupational health and safety Act, due diligence means that, employers shall take all reasonable precautions, under the particular circumstances, to prevent injuries or accidents in the workplace. This duty also applies to situations that are not addressed elsewhere in the occupational health and safety legislation.

Why does due diligence have special significance?

"Due diligence" is important as a legal defense for a person charged under occupational health and safety legislation. If charged, a defendant may be found not guilty if he or she can prove that due diligence was exercised. In other words, the defendant must be able to prove that all precautions, reasonable under the circumstances, were taken to protect the health and safety of workers.

How Should I prepare? - continued....

- Do you know the location of your health & safety committee bulletin board?
- Did you provide your management personnel/workers with health & safety orientation (new hires and workplace transfers)?
- Do you have documentation of the training?
- Do you know what you need to do in the event of a workplace injury or hazardous situation?
- Do you know that health & safety is everyone's responsibility; with the roles & obligations clearly defined in the Occupational Health & Safety Act?

Do you take part in health & safety inspections in your workplace?

- Who is your health & safety representative?
- Have you designated a first aid provider in your department?
- Have you inspected your first aid kit recently?
- Are you familiar with Risk Management Procedures?
- Did you know Ontario's Occupational Health & Safety Act and regulations are readily available on the www.labour.gov.on.ca/english/hs website?

Law

s.82 (1)(4)

The WSIB may increase or decrease the premiums otherwise payable by a particular employer in such circumstances as the WSIB considers appropriate including the following

- in the opinion of the WSIB, the employer has not taken sufficient precautions to prevent accidents to workers or the working conditions are not safe for workers, or
- the frequency of work injuries among the employer's workers and the accident cost of those injuries are consistently higher than that of the average in the industry in which the employer is engaged.

Policy

The Workwell program issues an additional premium charge to employers who have not taken sufficient precautions to prevent accidents in the workplace.

Workwell operates independently of the WSIB's experience rating programs and its additional premium charges are issued in addition to any premium or premium rate adjustments that may be realized through experience rating.

Guidelines

General

Workwell identifies employers with particularly poor accident records and/or high accident costs compared to their rate group, or who have a history of non-compliance with the **Occupational Health and Safety Act** and encourages them to improve their prevention programs.

Workwell requires these employers to participate in a workplace health and safety evaluation. Employers that fail the evaluation are given a specified time frame to make improvements. If improvement does not occur within the given time the WSIB issues an additional premium charge.

Identification of employers

The WSIB determines whether an employer is a candidate for a Workwell evaluation by considering any of the following

- the number and rate of Ministry of Labour workplace orders that have been issued and the degree of compliance with those orders,
- the type of order and the **severity of the contravention** of the **Occupational Health and Safety Act**,
- prosecutions initiated for failure to comply with Ministry of Labour orders,
- injury frequency information,
- injury cost information,
- severity of injury information,
- compliance with first aid regulations,
- complaints or referrals from workers or other parties, or
- any information concerning deficiencies or mitigating activities related to an employer's health and safety measures.

The information received from these various sources is reviewed and assessed by the WSIB's Workwell Program. When reviewing and assessing injury frequency and/or injury cost information, the WSIB adopts a comparative approach by evaluating an employer's record relative to the record of other employers of a similar size and industry.

Following identification, employers are notified in writing that there is going to be a Workwell health and safety evaluation of their workplace.

Workwell evaluation

The Workwell evaluation verifies the existence, the consistent application, the implementation and the enforcement of an employer's health and safety program.

Evaluation consists of an initial phase and a follow-up phase. Each evaluation receives a score, weighted to the risk posed.

Evaluation results

Initial evaluation

Employers are informed in writing of the results of the evaluation. Those that do not achieve a score of **seventy five percent (75%) or better** compliance with the evaluation criteria fail the initial evaluation and are eligible for a Workwell additional premium charge.

Employers have 6 months to improve their compliance with the evaluation criteria.

Employers that fail the initial evaluation are required to work with a health and safety program provider (eg. a Health and Safety Association) to improve their compliance with the evaluation criteria. Failure to do so results in the immediate levying of the additional premium charge, based on the initial evaluation score.

Second evaluation

WSIB staff **re-visit** the employer at the **conclusion of the 6 months** to re-evaluate the workplace and calculate the additional premium charge if indicated.

Workwell additional premium charge

The amount of the Workwell additional premium charge is dependent on the degree of the employer's non-compliance with the evaluation criteria at the second evaluation. If the score at **second evaluation is 75% or better** there is no additional premium charge.

Employers with a **score less than 75% at second evaluation** receive an additional premium charge ranging from 10% to 75% of their annual premium. The maximum additional premium charge is **\$500,000**.

Due Diligence and being in compliance

Employers conducting business in the province of Ontario need to realize ***the importance of Due Diligence and being in compliance*** with the Occupational Health and Safety Act and by being responsible in caring out ***their required duties and responsibilities for the well-being of their employees.***

Mentor Safety Consultants Inc.

We can assist in providing Ontario Employers with ***the information and any training needs*** towards complying with a ***WSIB Workwell Audit program.***

Mentor Safety Consultants Inc will support and increase your strengths in your health and safety program mentoring your organization in meeting the requirements towards ***compliance of WSIB..... policies, standards, training, records, performance and employee representation by identifying any areas requiring any improvements.***

Call Mentor Safety Consultants for your free no obligation Quote.
“Your Guide to Safety”

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