

# Alberta Compliance Alert: 6 Key OHS Changes Take Effect



Alberta just made 6 significant changes to its OHS rules, all of which took effect on December 1, 2021:

## 1. Prime Contractors at Non-Construction Sites

Any work site where workers of multiple employers work are now allowed to establish a prime contractor in charge of overall health and safety at the site. Previously, prime contractors were allowed only at multi-employer construction and oil and gas work sites.

## 2. JHSCs Not Required at Prime Contractor Sites

Multi-employer sites that have a prime contractor no longer have to establish a JHSC; however, the prime contractor must assign an individual to be responsible for coordinating health and safety between employers and workers at the site whose duties include addressing workers' safety concerns, participating in hazard assessment, making health and safety recommendations and reviewing the work site inspection documentation.

### **3. New Work Refusal Restrictions**

The new OHS rules clarify that work refusals are justified not simply for serious and imminent hazards, but 'undue hazards.' They also streamline the work refusal process and establish a new duty of workers to ensure that their work refusals don't endanger any other person.

### **4. New Limits for Reprisal Cases**

While the OHS laws will continue to protect workers against discriminatory reprisals for exercising their safety rights (now renamed 'disciplinary action'), there will be simplified procedures for filing reprisal (now renamed 'disciplinary action') complaints. Complaints must also be filed within 180 days of the disciplinary action and OHS officers will be allowed to refuse to investigate any complaint they believe to be 'without merit, or frivolous, trivial, vexatious, filed with improper motives or otherwise an abuse of process.'

### **5. Streamlined Procedures for OHS Incident Reporting**

Under previous rules, certain incidents had to be reported twice, once immediately after they occurred and then again a few days later after they were internally investigated. Now employers and prime contractors must [report serious incidents](#) that don't result in injury, such as explosion, fire, flood and structural collapse, once through the OHS Online Incident Reporting service unless an OHS officer instructs otherwise.

### **6. New Radiation Overexposure Reporting Rules**

Last but not least, new injury reporting rules clarify that overexposure to radiation is an incident that the employer or prime contractor must report to government OHS authorities.