

New & Young Worker Safety – Compliance Game Plan



The 4 things you must do to protect inexperienced workers.

Studies show that new workers who've been on the job for less than 6 months are more likely to get killed or injured on the job. The risks are even greater if the new worker is below age 25. Exhibit A: In 2017, workers between ages 15-24 accounted for 16% of all allowed schedule 1 WSIB lost-time injury claims in Ontario even though they constituted only 13% of the province's workforce. **Bottom Line:** You must be aware of the dangers and [take special precautions](#) to protect these inexperienced workers. Here's a 4-step game plan to prevent injury and comply with applicable OHS and employment standards laws applicable to new and young workers.

New and young workers at high risk of death or injury

Ages 15-24, Ontario, 2017

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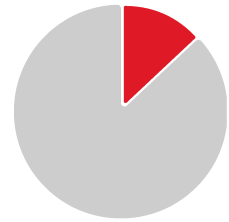
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1. Ensure Worker Is Old Enough to Do the Job

For purposes of safety, every jurisdiction has [rules governing the minimum age](#) a person must be to do a particular job. For most jobs, that minimum age is 14. However, age restrictions are much tighter in industrial, construction, mining and other high-risk settings. Thus, for example, in BC, a person who's 14 to 15-years-old is allowed only to perform 'light work.' Rather than taking a job- or industry-specific approach, some jurisdictions (FED, NL, NS, PEI, QC) impose a blanket ban on hiring young workers for any jobs that may 'endanger' their safety, health or welfare. **Bottom Line:** There are 3 factors

you need to consider in navigating minimum age requirements:

- How old the worker is;
- The industry you're in and whether there's a minimum age a person must be to work in it; and
- Whether the worker is old enough to perform the job you propose to hire him/her for.

Thus, for example, in some jurisdictions, an auto repair firm can't hire a 15-year-old for any job; in others, a 15-year-old may be allowed to work for the firm doing filing, reception or other low-risk office or administrative work.

2. Get Any Required Permit or Parental Consent

Once you determine that a worker is old enough to do the job, find out whether you need to get a permit from the employment standards division or other government agency and/or the written consent of the worker's parent or guardian. Failure to get the required permit or parental consent can be costly, especially if the worker gets hurt on the job.

Example: An Alberta museum hired a 14-year-old boy and then assigned him the job of sandblasting a truck box. While doing the work, the box fell on him, crushing him to death. In addition to 10 OHS violations, the museum and its director were charged with 2 offences under the Alberta *Employment Standards Code*: hiring a worker under 15-years-old without his parents' consent and making him work in an environment that could be dangerous to his life, health, education or welfare. Both defendants were convicted and the court imposed what was at that time, the maximum penalty—a \$500,000 fine [*Reynolds Museum Ltd.*, AB Govt. News Release, July 13, 2006].

3. Properly Schedule Young Workers' Hours

Employment standards laws limit the hours young workers may

work. For one thing, you can't hire young workers for hours that provincial laws require them to be in school, unless an exemption applies, for example, the hiring is under a proper off-campus education program. Certain time slots are also off-limits even during the summer or school holiday. For example, federal regulations ban requiring or allowing persons under age 17 to work between the hours of 11 PM and 6 AM. There are also limits on the numbers of hours that a young person can work per day, week or other period.

Bottom Line: Make sure the work schedules of any young workers you hire meet the requirements of your jurisdiction's employment standards laws. For example, during the school year, don't schedule young workers to work when they should be at school or late at night on weekdays. You should also be careful not to overwork young workers.

4. Provide Required OHS Training

While **all** workers are entitled to [receive training](#) to ensure they can do their assigned jobs safely, [OHS laws of most jurisdictions](#) (all but FED, AB, NS, PEI, QC) also require employers to provide special safety orientation to new and young workers before they start their employment. Unlike employment standards laws, OHS laws define 'young worker' as under age 24. In other words, special OHS training may be required even if the worker is well beyond the minimum age requirement of employment standards laws, e.g., a worker ages 20 to 24. Also note that OHS safety orientation training requirements aren't based solely on a worker's age but may apply when you:

- Hire post-grad students, co-op placements, volunteers or apprentices;
- Bring in immigrants or other permanent or temporary workers who don't have experience in your industry; and
- Assign current workers to new jobs or sites that pose different hazards.

While requirements vary slightly by jurisdiction, [new and young worker safety orientation training](#) generally must cover:

- The supervisor's name and contact information;
- Contact information for the workplace JHSC or health and safety representative, if any;
- The employer's and young/new worker's OHS duties and rights, including reporting unsafe conditions and refusing unsafe work;
- Workplace health and safety rules;
- Hazards to which the new/young worker may be exposed;
- Proper use of any PPE required;
- The location of first aid facilities and method of calling for help;
- Fire and emergency procedures; and
- Required WHMIS information.

You must also maintain written records of the safety orientation and training you provide to new and young workers.

Implement a Mentoring or Buddy System Program

While not specifically required by OHS laws, implementing a program for assigning new and young workers to a more experienced [mentor or buddy](#) who can show them the ropes and look after their safety is widely regarded as a best practice for protecting inexperienced workers. Go to the OHS Insider website for a [template procedure](#) you can adapt.