

# OHS PROGRAM: 7 Dos & Don'ts for Female Workers



The OHS laws require employers to take reasonable steps to protect *all* workers' male and female. And the human rights laws protect workers from discrimination based on various factors including gender. But the fact is that female workers may be more vulnerable to certain safety hazards than men and may have different needs, especially when it comes to PPE. So how do you adequately protect female workers while avoiding discriminating against them? It's a tricky balance but one you can attain by following these seven dos and don'ts.

**OHS GENDER-SENSITIVITY CHECKLIST:** At *OHSInsider.com*, you can download a checklist designed to help safety coordinators gauge the effectiveness of their safety policies and procedures relative to gender differences.

## 7 DOS & DON'TS

### û Recognize Differences Between Men and Women

Although female workers are entitled to equality in the workplace, the simple truth is that there are biological and physiological differences between the genders. And these differences have health and safety consequences. For example, women are generally smaller in stature than men. So if they operate equipment designed for larger male workers, they run the risk of physical or musculoskeletal injuries. In addition, female workers are more vulnerable to workplace violence than their male co-workers.

## X Don't Set Policies Based on Gender Stereotypes

Although you should recognize general differences between male and female workers, you shouldn't set policies based on gender stereotypes. For example, women generally can't lift as much weight as men. So you may be tempted to bar female workers from holding a position that requires heavy lifting in an effort to protect such workers from injuring themselves by lifting more than they can handle. But individual female workers may be quite strong and able to handle the heavy lifting safely'and, in fact, may even be more qualified than some male workers to do so. So such a ban would not only be ineffective in assigning workers to appropriate tasks but also discriminatory. Instead, set a gender-neutral requirement that a worker must be able to lift a specified weight to hold that position.

### û Avoid Policies that Negatively Impact Female Workers"]

As explained above, a policy that bars female workers from doing certain jobs would be discriminatory. But not all policies are so obviously improper. A policy that's gender-neutral on its face but has the effect of negatively impacting female workers more than male workers could also be discriminatory. For example, a manufacturer's policy barring workers from wearing jewellery will likely negatively impact female workers because they wear jewellery more often than male workers. But such a policy isn't discriminatory if you can prove that it's a 'bona fide occupational requirement' (BFOR). The BFOR rules essentially let employers adopt otherwise discriminatory policies and practices if:

- The policy or practice serves a legitimate purpose; and
- There's no less discriminatory way to accomplish it.

Ensuring workplace safety is recognized as a legitimate purpose. So a health and safety policy such as the above example that has the effect of singling out female workers

could be allowed if the company can prove that barring the wearing of rings, bracelets and necklaces is reasonable and necessary to avoid entanglements in machinery and equipment.

## û Evaluate How Well OHS Program Considers Female Workers' Needs

You can only adequately protect female workers when their special needs and vulnerabilities are integrated into your OHS program and considered as part of the process of making safety-related decisions. For example, does the JHSC discuss gender-specific safety issues at its meetings? Are women as well as men involved in health and safety management in the workplace? If you don't consider the needs of female workers when developing and implementing safety procedures or buying equipment, you run the risk that the procedures or equipment will endanger those workers. So evaluate how effectively your OHS program addresses the safety needs and concerns of female workers.

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## X Don't Treat PPE as One-Size-Fits-All

For PPE such as hardhats, safety glasses, respirators, etc. to be effective, it must fit properly. In general, women are smaller than men. But the range of available sizes for PPE is often limited and provides more larger size options than smaller. As a result, female workers may be stuck with poorly fitting PPE, which can actually endanger them. Here are some examples from a publication by the IAPA on PPE and women:

- A woman with a small face wears goggles that leave gaps at her temples, allowing flying debris from her machine to enter her eyes;
- A female worker in a sawmill can only get small men's

gloves. The fingers are too long and too wide. As a result, she risks getting her glove caught in machinery; and

- A woman who wears men's-sized work boots complains of tripping while walking and climbing stairs or ladders. She suffers from blisters and burning on the soles of her feet. Also, because her boots are too large, her toes aren't protected by the steel cap.

Some PPE manufacturers have finally seen the light and now provide safety gloves, shoes, clothing, glasses, etc. in either lines designed specifically for women or in smaller sizes in unisex lines. So when buying PPE, consider the gender of the workers who'll be using it and make sure that you buy appropriate sizes for those workers. Whenever possible, try to provide PPE for female workers that's actually intended and designed specifically for their use. Here are some additional tips from the IAPA on selecting various kinds of PPE for female workers:

**Hardhats.** If you can't get hardhats that are small enough for female workers, adding a chin strap to hats that are too large may provide a better fit.

**Safety eyewear.** Women are usually able to find safety *glasses* that fit properly. But safety *goggles* are a different matter. They often come in one-size-fits-all, which may not actually be the case. Such goggles may still be too large for female workers, letting materials, sparks or chemicals into their eye areas. So look for goggles with an adjustable strap, which can help eliminate gaps.

**Hearing protection.** Women generally have smaller ear canals than men. So disposable, foam ear plugs may fit them better and more comfortably than pre-moulded types.

**Safety footwear.** Manufacturers are now making safety footwear specifically for women that's more comfortable and fits

better. So make sure female workers actually wear footwear designed for them when it's available. Note that some types of safety footwear, such as chain saw boots, may still not be available in female models.

#### û Make Sure Equipment Can Safely Be Used by Female Workers

PPE isn't the only category of items in your workplace that you need to ensure are suitable for female workers to use. You must also make sure that female workers can safely use equipment, machinery and tools. For example, provide platforms or stools so smaller female workers can easily reach equipment's controls without having to strain or stretch and run the risk of musculoskeletal injuries.

And as with PPE, some manufacturers now provide hand tools specifically designed for women. Such tools are typically lighter and have smaller handles, which gives female workers better control of their tools and thus reduces the risk of injury. So when buying hand tools for the workplace, consider which workers will be using the tools and, if possible, provide smaller tools for female workers.

#### û Have a Policy on Pregnant Workers

If female workers in general raise special safety issues, *pregnant* female workers raise additional safety concerns. For example, pregnant workers and their unborn children may be particularly vulnerable to exposure to hazardous substances and other conditions, such as radiation. And certain jobs or tasks pose unique or heightened risks to the health of pregnant workers or their babies, including birth defects, low birth weights and miscarriages, including:

- Heavy lifting;
- Standing or sitting for long periods of time;
- Workstations or equipment that can't be adjusted;
- Working long hours or shift schedules;
- Exposure to certain chemicals, heavy metals (such as

lead), electromagnetic fields, infectious diseases and radiation;

- Excessive heat and noise; and
- Stress and fatigue.

As a result of these heightened risks, some OHS laws provide specific protections for pregnant workers, such as the right to refuse work that may pose a risk to their health or safety or that of their unborn children. To comply with such protections and address the safety issues raised by pregnant workers, you should have a specific policy that sets general guidelines on pregnant workers. But your policy should recognize that each pregnant worker is different and their situations need to be handled on a case-by-case basis. Blanket policies that treat all pregnant workers the same based on assumptions about what pregnant women can and can't do are likely to be considered discriminatory. For example, a policy of *automatically* reassigning a pregnant worker to what you consider to be a less hazardous position is discriminatory'even if the sole purpose of the reassignment is to protect the health and safety of the worker and her baby. However, reassigning that worker after speaking to her and assessing the health and safety risks during her pregnancy would be permitted.

In general, your policy on pregnant workers should cover:

- Notification by workers that they're pregnant;
- Accommodation of pregnant workers; and
- The process for getting medical information on any limitations or concerns for a pregnant worker.

**Insider Says:** For more information on protecting pregnant workers without committing gender discrimination, see 'Protecting the Pregnant Worker: Part 1: Drawing the Line between Safety & Discrimination,' Oct. 2008, p. 1 and 'Protecting the Pregnant Worker: Part 2: 6 Strategies to Keep Your Safety Measures from Discriminating,' Nov. 2008, p. 1.

## **BOTTOM LINE**

It's rare to find a workplace in Canada that doesn't have female workers, even in industries that are still dominated by male workers. And as the number of women in construction, manufacturing and other hazardous occupations increases, so does their risk of getting injured on the job. For example, in BC alone, between 2005 and 2014, 49 female workers died from work-related injuries and 37 died from occupational diseases. And in 2014, 25% of all serious injury claims in BC were filed by female workers. So it's important that safety coordinators understand their company's duty to protect female workers and help it do so without crossing the line into discrimination.