

OHS Quiz: Spot the Confined Spaces Violation



Situation

Nobody is allowed to enter a confined space unless and until a competent person performs airborne tests confirming that acceptable atmospheric conditions exist. The competent person keeps detailed records of each test and provides them to the OHS manager who assembles them into a looseleaf binder that she keeps inside her office. The OHS manager makes it clear that she'll provide access to the binder to any workers, joint health and safety committee (JHSC) members and government inspectors who want to see it.

Question

Which of the above acts (or omissions) is most likely to constitute an OHS violation'

1. Not having the OHS officer do the airborne tests herself
2. Not directly providing the test records to the JHSC
3. Keeping the testing records inside the OHS manager's office
4. Allowing workers to enter any confined spaces containing a potentially hazardous atmosphere

Answer

3) Keeping the test records inside an individual's office is a potential OHS violation

Explanation

OHS laws require employers to do pre-entry airborne testing of confined spaces and make test records 'readily available' to workers and others authorized to see them. 'Readily available,' though, generally means located close to the workers, in a physical copy form, (i.e., printed on paper) and accessible to workers during each shift. Keeping test records in the office of an OHS manager

or any other individual for that matter, is problematic because:

- The office may be far from the confined space or even at a different site or location;
- The records must be accessible at all times and an individual's office is likely to be kept locked during certain shifts; and
- Workers must be able to see the records without a supervisor's permission or having to make an appointment.

Why Wrong Answers Are Wrong

1 is wrong because OHS regulations require only that the person who performs the test be competent, i.e., qualified by knowledge, experience and training to do the testing, and don't specify what title such person must have.

2 is wrong because while OHS regulations require you to make testing records available to the JHSC, they don't say you must directly give the committee a copy, especially absent a specific request.

4 is wrong because allowing workers to enter confined spaces is allowed provided that you carry out the testing and all other health and safety measures the OHS regulations require for confined space entry.