

TRAINING: Why Workers Require Competency Tests after Safety Training



✖ By Barbara Semeniuk, BSc CRSP

How many of you have been given a 200-page OHS manual and told to read it? Of course, after you've read the manual, you're asked to sign a waiver stating that you've read and understood its contents. So you just skim through the manual, thinking, "I have sufficient work experience. I know what I'm doing." And then you sign the waiver.

A oilfield services company did just that. They gave a large health and safety manual to its workers, told them to read it and, after they'd read it, sign a waiver that they understood its contents. The company didn't give the workers a competency test to determine if they'd actually understood the manual. It mistakenly believed that the onus was now on workers to work safely.

Not so. The company then had a serious incident in which a worker didn't follow procedure and was hurt very badly. He said that he'd read the safety manual but didn't understand it. The company argued that it had done everything reasonable and practicable to protect the health and safety of its workers. The injured worker should have followed the procedure because he'd signed a waiver saying that he'd read and understood it.

The court asked the company if it had done anything to make sure he actually understood what he'd read. The company's answer was, "No, we didn't." The court explained that it was the company's responsibility as an employer to determine workers' competency and it couldn't transfer that duty to workers by having them sign a waiver. The court convicted the company of OHS violations and fined it.

[Note: The case discussed above is *R. v. Dial Oilfield Services*, [2007] ABPC 16, Jan. 19, 2007 (upheld on appeal *R. v. Rose's Well Services Ltd. (Dial Oilfield Services)*, [2009] ABQB 1 (CanLII), Feb. 1, 2009).]

The lesson: Simply handing over health and safety information and expecting workers to read it on their own and understand it isn't acceptable. Workers must actually be trained and have their understanding of that training verified.

Safety training needs to cover company safety policies and procedures, critical health and safety issues such as where the first aid kits, eye washes and fire extinguishers are located and what to do in an emergency. New workers should get a site tour where they're introduced to their co-workers and acquainted with the site health and safety precautions and hazards.

It's then the employer's duty to ensure that the workers understand the workplace's safety policies and procedures. To do so, it must assess the effectiveness of their safety training either by giving them a quiz that tests key concepts or by having the worker demonstrate knowledge and competency of safety procedures on the job under the watchful eye of an experienced worker or supervisor, who signs off on the worker's competency.

Mentors are great for assisting in this process. An experienced worker can oversee a new worker until he can perform the job safely and well, with little or no supervision. The mentor signs off that the worker's competent and the cycle is complete.

Only then has the company truly done everything that a reasonable person would do to protect the health and safety of its workers—in other words, exercised due diligence. So don't read and sign....your life may be on the line!

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