

# Use I-CAB to Assess OHS Competency of Key Company Employees



Employers have various duties under the OHS laws and they depend on their employees to ensure that they fulfill these duties. For example, the safety director or coordinator who's in charge of a company's OHS program may be responsible for overall compliance. And that individual may look to front-line supervisors to ensure that workers follow the company's safety rules and procedures.

But how does an employer know if its safety coordinator is competent? And how does the coordinator know that the supervisors are competent? One way is by having these individuals assessed by the International Competency Assessment Board (I-CAB). Established in 2011, this organization has chapters in Canada, the US, Great Britain and Australia. We recently spoke to Robert Day, chair of the Advisory Board, about I-CAB, its purpose and how its assessments can benefit your company.

## **I-CAB's Purpose**

The members of I-CAB's advisory board all work in the workplace health and safety field, whether as OHS lawyers, professional engineers, paralegals, licensed investigators or other risk management and HR professionals. Day says the I-CAB board members often found that they were running into the same problems regarding the regulatory competency of individuals in terms of health and safety. So they created I-CAB to 'set a benchmark of competency' for the people in a company who have health and safety responsibilities and could be considered 'employer representatives,' he explains.

The goal is not to simply provide individuals with a piece of paper saying they took a safety training course, stresses Day. And he adds that I-CAB doesn't provide safety training at all. Instead, the organization's purpose is to assess whether individuals understand basic industry and OHS terms, the OHS laws that regulate their industry and position, and how those laws apply in the workplace. Although individuals in basically any industry can be assessed, says Day, I-CAB currently offers assessments in the following categories:

- Construction;
- Demolition;
- Diving;
- Downstream and upstream oil and gas/oil sands;
- Explosives;
- Forestry;
- Hazmat;
- Healthcare;
- Non-industrial (a sort of catch-all category);
- Open pit and underground mining;
- Transportation; and
- Warehouse.

Day adds that the current focus is on assessments based on OHS law only. However, due to interest and natural overlaps, expanding into environmental law assessments is a likely next step. He also says that people have expressed interest in I-CAB providing assessments in the areas of transportation and security.

### **The Assessment Process**

Day says the assessment process is pretty straightforward and all of it takes place online. It costs \$350 for an individual assessment. But for corporate clients that expect to conduct multiple assessments, the fee is half or \$175 an assessment, he explains. And if an individual doesn't perform well on his first assessment, he can be reassessed within six months for a reduced fee, adds Day.

A company's first step is to determine which employees should be assessed. Day notes that I-CAB will assess essentially anyone in a company *except* workers. He explains that a lot of attention is already given to ensuring that workers are properly trained and competent to perform their duties. So I-CAB won't assess whether, say, a worker is a competent welder or crane operator. Rather, the organization's goal is to assess the competency of 'employer representatives' with health and safety duties, which can be anyone from the CEO to the safety coordinator or a foreman.

In addition, a company can require a contractor it's considering hiring to get assessed as part of the pre-qualification process, says Day. (Here's more information on why and how to pre-qualify contractors.) For example, in contractor registries, the company can indicate that an I-CAB assessment is required, he explains. Companies can also require assessments of consultants, investigators, auditors and anyone it's considering hiring for positions with safety responsibilities, adds Day.

Once the company identifies the individuals to be assessed, it registers those people with I-CAB, which assigns them I-CAB numbers. Day explains that the privacy of the individual assessments is protected and the privacy controls are

in the hands of the individuals themselves. That is, the employees can give their employers access to the results, which is typical. They can also make them available to the general public. For example, he says an individual can indicate that he's been assessed on his resume and include his I-CAB number so potential employers can see the results.

The assessments can be taken 24/7, notes Day. They're recorded (audio, video and screen activity) and the recordings are reviewed afterwards to ensure that the individual didn't cheat or otherwise act inappropriately. An assessment typically takes two hours to complete and, aside from short breaks between sections, must be completed in one sitting. Each section, or 'competency,' has a time limit, adds Day.

He explains that each assessment, which is tailored for the OHS law for that jurisdiction, the industry and the individual's position, is divided into four levels of competency:

**Definition recognition.** This section assesses whether the individual understands key industry terms and can identify key pieces of industry equipment. It also measures how well the individual recognizes important terms and definitions in the OHS laws.

**Reference.** Day says that no one is an expert on everything. While it's important for individuals to have a basic level of knowledge, it's also important that they know where to go and how to find information they don't know offhand, he explains. So this section assesses how well the individual can use the OHS laws and regulations to find specific information, such as the OEL for a certain substance.

**Interpretation.** This competency looks at whether the individual knows how to interpret the OHS laws and understands how regulators have interpreted them. Day notes that competency expectations of individuals in senior management is usually at this level.

**Application.** The last competency evaluates whether the individual can apply the OHS laws in situations that are typical for the industry and position and in line with the interpretations of the courts (as determined through prior decisions).

Each individual gets an assessment report. (You can download a sample assessment report from the I-CAB website.) It's important to note that the assessments aren't tests, says Day, so no one passes or fails. The advisory board sets target scores that can be used as a benchmark against which to compare how an individual did. The report provides an overall score and shows the highest level of competency reached for each specific area assessed. If an assessment indicates that the individual needs additional training in certain areas, I-CAB can steer the employer to training resources available elsewhere, says Day.

### **The Benefits of Assessments**

The OHS laws don't specifically require employers to get assessments such as those provided by I-CAB. And getting money for mandatory OHS activities, programs and initiatives can be a tough enough sell. So why should a company spend money on I-CAB assessments of certain employees' Day explains that competency assessments can help:

**Properly direct your safety budget.** Day acknowledges that budgets for OHS programs are often tight. Competency assessments can help ensure that this money is directed where it's really needed, he says. For example, an assessment report essentially identifies areas of strength and weakness. Using this information, you can ensure the individual gets training in the areas he needs it the most. So say you send a supervisor to a conference on powered mobile equipment every year. If the supervisor's competency in that area is very high but he's weaker in silica exposure management, you may decide to send him to a workshop on compliance with silica requirements instead and not waste resources on training he doesn't really need.

**Prove due diligence.** Conducting competency assessments can help companies prove due diligence, says Day. For example, the OHS laws may require you to provide competent supervision. If you get your supervisors assessed and they achieve the target score or better, you can use those results to demonstrate that you took all reasonable steps to comply with that requirement. In addition, getting key employees assessed can help you prove due diligence as to your general duty to provide a safe and healthy workplace, he adds. And if competency assessments become common in a particular industry, notes Day, the courts could consider them an industry standard or best practice and thus expect all companies in that industry to get them done.

**Properly assign liability.** If a company properly trains and supervises an individual who acts independently in violating safety procedures or the OHS law, that individual should bear responsibility for that offence, not the company. But too often, the company still faces liability. As OHS lawyer David Myrol, an OHS Insider and I-CAB board member, explains in this whitepaper on the Metron case, competency assessments by third party organizations such as I-CAB can be used to quantify the regulatory competency of individuals fulfilling employer responsibilities. So companies that can demonstrate that their supervisors are properly trained, monitored and competent in regulatory requirements may have a defence to OHS charges based on the actions of those supervisors, Myrol says.

**Screen contractors and hiring candidates.** On the HR side, competency assessments can be valuable when making hiring decisions about safety professionals or anyone being considered for a position with OHS duties because the assessments provide an objective way to evaluate candidates' credentials, notes Day. You can also use assessments to screen contractors and even require a competency assessment as part of the pre-qualification process. (In fact, contractors may find that having gone through competency assessments of their key employees makes them more competitive, he adds.)

## **INSIDER SOURCE**

**Robert Day:** I-CAB, Chair, Advisory Board, [www.i-cab.org](http://www.i-cab.org).