

The Ontario Recreation Facilities Association Inc. (ORFA) regularly researches and writes about issues that could affect our clients. These documents provide an opinion on key risk management issues but are not meant to provide any form of legal opinion or official interpretation. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation. All rights reserved. ©2013 Ontario Recreation Facilities Association Inc.

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Introduction

The ORFA is often asked to clarify if working alone is either a legally acceptable or if there are any best practices or guidelines for our industry. The issue of working alone is a complicated topic that requires careful consideration to determine worker safety in each specific workplace. Worker safety will be determined by a variety of factors with a Job Hazard Analysis (JHA) for each task being key to the process. The workplace Joint Health and Safety Committee (JHSC) should be considered as the primary resource to creating policy and procedure specific to your workplace.

Recreation Legislative Operational Expectations

Senior decision makers in our industry have slowly eroded staffing levels in most facilities to meet financial constraints. There are several environments that are not impacted from these pressures. Facilities that provide child care services, aquatic deck staffing levels and Chief Operators of refrigeration plants exceeding 200hp are exceptions of recreational services have strict legislative staffing levels and competencies to be met. Although not recommended, an owner of other recreation facilities can in fact choose to operate with no or volunteer staff.

Occupational Health and Safety Act (OHSA)

The OHSA requires that all workers be safe and supervised while at work. How the workplace ensures this is met is left with each employer to determine. How effective the workplace plan for working alone was will only be assessed should an injury occur and the Ministry of Labour (MOL) or other governing agency (TSSA, ESA, MOE, OPP) are summoned to investigate.

Changing Expectations

It has been common within our industry to have managerial staff in recreation facilities to work a standard work week (Mon-Fri - 8am-4pm). Most recreation facilities come to life after many managerial staff have completed their day. Who is replacing them and what skill/competency level these individuals possess becomes the first acid test to worker safety. Consider that many facilities will

have the most competent persons working at the lowest level of use. Many times these individuals are replaced by frontline staff who have been with the operation and have no formal training or young workers that lack experience to take care and control of other staff or an emergency situation. The OHSA sets minimum competency as a person who:

- (a) is qualified because of knowledge, training and experience to organize the work and its performance,
- (b) is familiar with this Act and the regulations that apply to the work, and
- (c) has knowledge of any potential or actual danger to health or safety in the workplace;

It must be stated that merely being in the same position for many years is only one portion of worker competency.

But I am Not a Supervisor

Many frontline staff will quickly point out that in their opinion they are not supervisory staff. They may even reference an employee position or compensation grid/chart. It is important to note that supervisory responsibilities under the OHSA has nothing to do with seniority or compensation. It has everything to do with care and control for the safety of all workers. The Fire Code in fact goes as far to state that it is the person(s) on site with any authority paid or not that is responsible for the safe evacuation during an emergency. Failing to take charge under such circumstance will be addressed directly with those on site at the time of the event. The simplest approach to analyzing on-site competency for those replacing identified supervisory staff is are they adequately trained to take care and control of the facility in the absence of these individuals. More directly, when the Fire Chief is off site or unavailable would they hand over the operation of the department to an untrained 18-year old in their absence?

“Do employers have the right to schedule an employee to work an overnight shift alone?”

Yes. However, it is not as simple as merely scheduling a worker as there are many risks to

consider in each circumstance to meet the OHSA responsibility to do everything reasonable to protect the worker when working alone:

Time

- What is a reasonable time for the worker to be working alone without checking in or being checked on?
- Is it reasonable for the particular worker to be working alone?
- What time of day will the worker be alone?

Communication

- What forms of communication are available?
- Is it necessary to see the worker or is occasional voice communication adequate?
- Will emergency communication work and will it work at the time of day in question?
- If the worker is out of the vehicle does the communication work or will s/he need alternative communication?

Location

- Is the work remote or isolated, even a seldom used store room might be considered remote?
- If transportation is required to get there does the vehicle have emergency equipment?
- What are the consequences if the vehicle breaks down?

Nature of the work or tasks performed

- Has adequate training been provided specific to doing the required tasks alone?
- What high risk machinery or equipment might be used?
- Environmental conditions
- Is the building locked and if so how might emergency services get to the worker?
- Does the work involve money or other valuable goods?
- Does the work involve potential violent conflict with patrons?

Characteristics of the worker

- Does the worker have pre-existing medical conditions that might make the risk too high for this worker to work alone?

Does the person have adequate training, knowledge and experience? In other words are they competent to be their own supervisor? ([Canadian Centre for Occupational Health and Safety](#))

It is More of What Should Not Be Done Alone

Keeping workers who are alone safe is best started by listing tasks that are not to be completed alone. Working at height, equipment maintenance, conducting housekeeping or maintenance in high risk areas can often be quickly identified as work that should not be attempted when alone.

Physically in Touch

There is no expectation that every worker is supported physically by another person at work (there are some specific conditions outlined in the OHSA that do require this). Having systems that allow a worker to stay in touch through communication system or through a check-in and our procedure are considered positive worker safety tools that can be developed and implemented.

Note: When electronic devices are not feasible, an effective periodic contact system must be established (for example: check in procedures, periodic site visits, requiring worker to check in after the completion of specific tasks).

An Example of a Check-In and Out Procedure

Make sure your plan is appropriate for both regular business hours as well as after main office hours. Person check procedures should include the following:

- The designated person who will establish contact
- Time intervals between checks
- A check at the end of the shift
- A procedure to follow in case the worker cannot be contacted

When travelling out of the facility, the main contact person should know the following details:

- Destination,
- Estimated time of arrival,
- Return time or date,

- Contact information,
- Mode of travel (public transit, car, plane, etc.) and,
- Alternate plans in the event of bad weather, traffic problems, etc.

TIPS FOR WORKING ALONE

Have Written Policies

Consult the JHSC or worker representative, as well as the workers involved to:

- Identify all situations in which a worker must work alone.
- Assess the conditions under which that work takes place.
- Develop a plan tailored to the individual work situation, outlining steps to ensure, as far as possible, the worker's safety.

Gather Appropriate Information

Make sure the plan includes:

- The name, address and location of the workplace.
- The nature of the work being done there.
- Recognize the potential risks to each worker who may be working alone.
- Assess the risks identified

Control Measures that will Minimize Each Risk

Details of how workers can get help if they are in situations that could endanger their safety, or in the event that they are injured.

Common Scenarios

Consider the following scenarios that many recreation operations encounter and consider how well all staff are currently informed on how best to deal with such events:

#1 – A lone female staff member working late knowing that the men's hockey teams stay in the dressing room long after their rental has ended. She has concern for her safety of walking to her vehicle after locking up.

#2 – A lone worker on the night shift cleaning the pool deck.

#3 – Sending a young worker off to a sports field on the other side of town to cut and trim the grass alone.

#4 – The refrigeration system kicks off on high pressure at 11pm and the senior staff knows it's the condenser fan on the roof causing the problem. They head for the ladder...

#5 – The ice resurfacers cutting blade has become dull – it is midnight and the tournament starts again at 6am. Jimmy is

the newest staff member but he "thinks" he can do the work by himself.

Conclusion

So to answer the opening question of "*is working alone either a legal requirement or if there are any best practices or guidelines for our industry*" the answer is "yes" in both regards. A worker can work alone as long as they are competent to do so and protective measures have been put in place to protect the worker under such conditions.

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