

RECOMMENDATION #23

THE MINISTRY OF LABOUR SHOULD POST ALL FINES AGAINST EMPLOYERS IN HEALTH CARE UNDER \$50,000

DESCRIPTION

Publicizing fines sets deterrence and allows other hospitals to benchmark their performance. Currently, the Ministry of Labour only posts fines against employers in health care that are over \$50,000.

New research published by Institute for Work and Health (IWH) on June 7, 2016 in the American Journal of Industrial Medicine indicates that “There is strong evidence that several OHS policy levers are effective in terms of reducing injuries and/or increasing compliance with legislation.” In reference to the article titled *A systematic literature review of the effectiveness of occupational health and safety regulatory enforcement* (Tomba, Kalceovich, Foley, McLeod, Hogg-Johnson, Cullen, MacEachen, Mahood, Irvin) Dr. Cam Mustard, President of IWH said “Regulators may need to heighten awareness by actively communicating the consequences of non-compliance, and possibly make information about non-compliers easily available to the general public”.

Occupational Health and Safety Act Section

Publication re convictions

68.1 (1) If a person, including an individual, is convicted of an offence under this Act, a Director may publish or otherwise make available to the general public the name of the person, a description of the offence, the date of the conviction and the person’s sentence.

RECOMMENDED SOLUTION AND INTENDED OUTCOME

The Ministry of Labour should agree to start posting all fines against employers in health care under \$50,000. Supervisor Competency and Board of Director training should include content about offences and penalties, and that fines could be made public.

RECOMMENDED IMPLEMENTATION

SHORT

1. Leadership Table endorses the recommendation, and changes are put into place at the Ministry of Labour.
2. Public Services Health & Safety Association includes this into any supervisor and/or Board of Director training.