

Part 28 Working Alone

Highlights

- This Part applies if a worker is working alone at a work site where assistance is not readily available if there is an emergency or the worker is injured or ill.
- This Part requires employers to assess their workplace and take preventive measures that eliminate or minimize hazards associated with working alone.

Requirements

Section 393 Application

Subsection 393(1) Two conditions

The purpose of this Part is to ensure that workers working by themselves can do so safely. As a result, employers have responsibilities to minimize and eliminate risks associated with their workers who work alone.

Four other jurisdictions in Canada (Manitoba, Saskatchewan, British Columbia, and New Brunswick) regulate working alone. All use a regulatory approach very similar to the one adopted in Alberta. Each of those jurisdictions requires employers to conduct a hazard assessment and to then develop controls to reduce the risks associated with the identified hazards. No jurisdiction in Canada prohibits working alone.

The working alone requirements of this Part apply when *both* of the following conditions are met:

- (1) a worker is working by himself or herself, and
- (2) assistance is not readily available to the worker if there is an emergency or the worker is injured or ill.

Workers who work alone can be grouped into five broad categories:

- (1) Workers who handle cash. This includes convenience store clerks, retail and food outlet workers, and taxi drivers.
- (2) Workers who travel away from their base office to meet clients. This includes home care workers, social services workers, and bylaw enforcement officers.
- (3) Workers who do hazardous work but have no routine interaction with customers or the public. This includes workers in the forestry, oil and gas industries.
- (4) Workers who travel alone but have no routine interaction with customers or the public. This includes truck drivers and business people in transit.
- (5) Workers who are at risk of a violent attack because their work site is isolated from public view. This includes security guards and custodians.

A worker is considered to be working alone if the worker works by himself or herself at a work site in circumstances where assistance is not readily available when needed. Employers can eliminate the risk of workers working alone, as well as the need to comply with the working alone requirements if they choose to organize work schedules and procedures to eliminate the need for workers to work by themselves.

If two or more workers of the same employer are working together, the working alone requirements of this Part do not apply. If two or more workers of different employers are working together, the working alone requirements of this Part do not apply as it is reasonable to expect that the workers can provide assistance to one another.

Readily available - three assessment factors

Three factors must be assessed when determining if assistance is “readily available” in the event of an injury, illness or emergency:

- (1) *awareness* – will other persons capable of providing assistance be aware of the worker’s needs?
- (2) *willingness* – is it reasonable to expect that those other persons will provide helpful assistance?
- (3) *timeliness* – will assistance be provided within a reasonable period of time?

This assessment must consider the probability of injury associated with the circumstances of the work e.g. type of work, location, hazards, etc. If the worker faces hazards that pose a high probability of injury, “readily available” may become “immediately available”. Worker expectations of the availability of assistance increase as the probability of injury associated with the work increases. Employers are reminded that this probability may change over time and with changing workplace conditions.

Example situations

The following examples describe typical workplace situations in very general terms. Circumstances at individual workplaces may vary, influencing whether or not a working alone situation is present.

Example 1:

A worker is the only staff member on duty at “Bison Burgers” in a food court where other workers are present at nearby food outlets.

Although the worker is by himself or herself, workers present at other food outlets could reasonably be expected to provide or get assistance. The working alone requirements of the OHS Code would not apply in this situation since both conditions described above are not met.

However, a lone worker at a stand-alone food outlet would meet the “working alone” conditions because the worker, if seriously injured due to an accident or as a result of a confrontation with a customer, would have no way of getting assistance.

Example 2:

A worker, equipped with a portable two-way radio or cellular telephone, is working by himself or herself in an area where the worker cannot be seen or heard by persons capable of offering assistance.

The two conditions applicable to working alone apply in this example. The worker is working by himself or herself *and* assistance is not readily available because the worker cannot be seen or heard by persons capable of offering assistance. While it may be part of the solution, the fact that the worker has a portable two-way radio or a cellular telephone is irrelevant when assessing the situation against the two conditions.

Because the two working alone conditions are met, the employer is required to conduct a hazard assessment to identify existing or potential hazards arising from the conditions and circumstances of the worker's work. The employer must also provide effective radio, telephone or other electronic communication between the worker and persons capable of responding to the worker's needs. The assessment may show that the portable two-way radio or cellular telephone is effective, or it may suggest that alternatives are necessary.

Example 3:

A worker driving on the highway between Calgary and Edmonton versus a worker driving on a remote abandoned logging road.

It is reasonable to expect that during daytime hours, if a worker driving the highway requires assistance, other highway users will become aware of the need. It is also reasonable to expect that other highway users will willingly provide assistance and do so in a timely manner. The working alone requirements do not apply. However, if the driving occurs throughout the night, particularly on a less travelled roadway, the working alone requirements may apply.

By contrast, it is reasonable to expect that a worker driving on a remote abandoned logging road will not encounter anyone on the roadway. In the event of an injury, illness or emergency, it is unreasonable to expect someone will be aware or willing to provide assistance in a timely manner. The working alone requirements apply.

Example 4:

A nurse on night shift at a psychiatric unit versus a nurse on day shift at a children's unit.

The circumstances of the work in these two situations are quite different, although the worksite – the health care centre – is the same. The availability of assistance in each situation must be assessed individually from the perspectives of awareness, willingness and timeliness. Given the increased risk to personal safety of working the night shift on a psychiatric unit, expectations on the availability of assistance are also greater.

Particularly if the unit is large and few staff are on duty, it may not be reasonable to expect other persons capable of offering assistance to be aware of the nurse's needs. Given the potential hazards to which the nurse is exposed, the timeliness of a response for assistance should be faster. The situation of a nurse on night shift at a psychiatric unit may trigger the working alone requirements.

Example 5:

Table 28.1 describes situations that might be encountered involving two workers, one of which is a tradesperson and the other is the tradesperson's helper.

Table 28.1 Degrees of worker separation

Tradesperson and helper work together continually	Not working alone
Helper passes behind loading bins and is momentarily out of sight or cannot be heard	Not working alone
Helper goes to the next room to get supplies Helper goes to another floor to get supplies Helper goes to outside loading area to get supplies	Workers <i>may</i> be working alone – workers should be aware where each other is and the approximate return time. Factors that may influence whether this is a working alone situation include: <ul style="list-style-type: none"> ▪ how long the workers are separated ▪ whether the work poses a high probability of injury ▪ the presence of other persons at the work site
Helper gets into vehicle to go to warehouse to get more supplies	Working alone

Is the worker working alone?

A worker is *not* “working alone” if *all* of the following conditions are met:

- (1) *awareness* – the worker can get the attention of someone capable of providing helpful assistance when the worker requires it i.e. by maintaining visual contact, staying within the hearing range of others, being continuously monitored by remote surveillance camera, sounding an alarm, making frequent contact with other workers or persons throughout the work period.
- (2) *willingness* – persons expected to provide assistance to the worker must be capable and willing to do so when required. There should be a reasonable expectation that the persons being relied on to provide assistance can and actually will provide that assistance. Depending on circumstances, those persons may need access to a telephone to call Emergency Services (dialling 9-1-1), access to some other type of communication device to call for assistance, or specialized skills e.g. confined space entry training, the ability to use a self-contained breathing apparatus, etc. The employer must consider these factors when assessing the working alone situation.

- (3) *timeliness* – the required assistance will be provided in a reasonable period of time. What is reasonable depends on factors such as the nature of the illness, injury or emergency, the physical location of the work and workers, the type of work being performed, the likelihood of injury and others. In general, assistance must be provided as quickly as reasonably practical. Employers should discuss this and the other conditions with workers to ensure that worker needs are met.

Video Surveillance Camera

Maintaining contact with workers may be achieved through the use of video surveillance cameras. The employer's hazard assessment should assess to what extent workers using this system can respond to other workers who require assistance. A remote video monitoring room, or a non-continuous surveillance system that regularly switches images between several monitoring cameras may or may not meet the "readily available" assistance criterion of this Part. The hazard assessment should help to determine if this is the case.

Employers can eliminate the risk of workers working alone, as well as the need to comply with the working alone requirements, if they choose to organize work schedules and procedures to eliminate the need for workers to work by themselves. Overlapping shifts, having multiple workers work together, and rearranging the physical location of the work so that workers maintain contact with one another are examples of how working alone situations can be avoided.

For more information



http://employment.alberta.ca/documents/WHS/WHS-PUB_workingalone.pdf

Working Alone Safely – A Guide for Employers and Employees

Subsection 393(2) Hazard assessment

A work site hazard assessment is a common sense look at the workplace to identify existing hazards for workers working alone. To perform such an assessment, employers need to

- (a) review records and past incidents, and
- (b) identify measures or actions needed to correct any hazards.

Completing those two initial steps is important to the success of any health and safety program. Section 8 of the OHS Code requires employers, if reasonably practicable, to involve affected workers in the hazard assessment and in the control or elimination of the hazards identified. Workers affected by the hazards identified in the hazard assessment must be informed of the hazards and the methods used to control or eliminate the hazards. Section 8 of the *OHS Regulation* requires that the hazard assessment report be in writing and available to workers affected by it.

Employers having limited experience with assessing hazards, or who are unsure of what corrective measures or actions to take, may wish to contact outside experts. These may include the industry association to which they may belong, the provincial health and safety association that best represents their industry, or a private occupational health and safety consultant. Employers in the retail sector may also wish to contact the Crime Prevention Unit of their local police service.

One hazard assessment for multiple work sites

Hazard assessments are only required for each *different* set of working conditions. A taxi company for example, could complete one hazard assessment to cover all its drivers and the typical situations those drivers encounter. An assessment does not need to be completed for each driver individually. The same is true of a worker selling products door-to-door, or a worker inspecting a number of essentially identical transformer substations. A single hazard assessment can cover the hazards generically rather than assessing each taxi, house or substation individually.

Review of records and past incidents

When identifying workplace hazards, employers should talk to their workers and review the experience of the business over the previous two or three years. Collecting and examining the history of past events may reveal the risk of workplace incidents, injuries and violence. What happened before and during the incident should be reviewed, with relevant details of the situation and its outcome noted. If an employer does not have any personal experience with past incidents, the employer should check with similar businesses so that a variety of potential problem situations and circumstances are identified and considered.

Employers should see if there are any trends in injuries or incidents relating to their type of business, a particular work site, job title, activity, or time of day or week. Employers should identify specific tasks that may be associated with an increased probability of injury.

Good sources of information include injury and illness records resulting from “working alone” incidents, workers’ compensation claims, and police department robbery reports that identify specific incidents related to working alone.

Inspect and analyze the workplace

After reviewing records or past incidents, employers need to carefully examine the workplace, day-to-day management practices and other situations that may put workers at risk. This will help to develop and put in place specific preventative measures to address these problems.

The employer's review should look at:

- (a) all factors that may make the risk of violence more likely, such as physical features of the building and environment, inadequate lighting, lack of telephones and other communication devices, telephones that do not permit out-going calls, areas of unsecured access, and areas with known security problems such as parking lots;
- (b) factors that make the risk of occupational injury more likely or severe, such as high hazard work e.g. tree cutting, isolation from first aid services, and inability to call for help; and
- (c) the effectiveness of existing safety measures. Find out whether these measures are actually being used and whether workers have been adequately trained in their use.

Appendix 1 of *Working Alone Safely – A Guide for Employers and Employees*, contains sample hazard assessment checklists (see Figure 28.1). The checklists present a series of questions that may help employers perform their work site inspection and analysis of hazards. In some cases (depending on the type of business and the hazards present), completion of the appropriate checklist may be all that is required. In other cases, the checklist is a starting point for a more comprehensive assessment.

Figure 28.1 Examples of hazard assessment checklists

The figure displays three sample hazard assessment checklists from Appendix 1 of the *Working Alone Safely* guide. Each checklist is designed for a specific work scenario and includes a series of questions with 'Yes', 'No', and 'N/A' response options.

- Appendix 1.1: Working Alone (Cash Handling):** Titled 'Checklist For Employees Who Handle Cash (e.g. convenience store clerks, retail and...)', it includes sections for 'CASH AND MERCHANDISE', 'VISIBILITY', and 'EMPLOYEE TRAINING'.
- Appendix 1.2: Working Alone (Client Meetings):** Titled 'Checklist For Employees Who Meet Clients Away From Their Base Office (e.g. home care workers and nurses, social services workers, real estate agents, bylaw and government enforcement officers)', it includes sections for 'EMPLOYEE TRAINING', 'SAFEWORK PROCEDURE', and 'COMMUNICATION'.
- Appendix 1.4: Working Alone (Traveling):** Titled 'Checklist For Employees Who Travel Alone (e.g. truck drivers, field workers, and business people in transit)', it includes sections for 'EMPLOYEE TRAINING', 'SAFEWORK PROCEDURE', 'EQUIPMENT SAFETY', 'EQUIPMENT AND SUPPLIES', and 'COMMUNICATION'.

Hazard assessment at intervals

A new hazard assessment needs to be performed when the circumstances of the working alone situation change. For example, exchanging one worker for another may not substantially change a working alone situation but extending the worker's hours of work from 6 p.m. to midnight may have a substantial effect on their personal safety and the results of the existing hazard assessment. The change in working hours alters the working alone situation and triggers the need for a new hazard assessment.

Something as simple as a new business opening next door may trigger the need for a new hazard assessment. If that new business involves late night entertainment for example, then the potential impact of its operation on the existing employer's workers who work late and alone need to be considered.

Elimination and control of hazards

Employers must first try to eliminate the hazard(s) identified by the hazard assessment. Then and only then should the employer try to reduce or control the hazard(s). Elimination ensures the hazard no longer exists, regardless of which worker is working and their experience, skills and abilities.

Reduction or control of hazards may only be a temporary measure and may be dependent on specific workers being able to make the control function as intended. For example, securing an access door that depends on a worker using a significant amount of force to close it and a special way of twisting the lock to get it to latch is unacceptable. All of the employer's workers should be able to operate the door and lock, regardless of their strength or abilities. The hazard can easily be eliminated through repair or replacement of the door and lock.

Section 394 Precautions required

Subsection 394(1) Effective communication system

The purpose behind "effective communication system" is to provide workers with a method of signaling their need for assistance. Common devices that meet the intent of this subsection include portable two-way radios, telephones, cellular telephones, satellite telephones, personal alarms and computer-based systems that achieve the same results. The key point is that the communication system must permit a worker requiring assistance to send a message or signal to someone capable of providing assistance to them.

Even with the best communication equipment, there may be times when it is not useable, the worker is rendered incapable of using it, etc. To ensure there is contact even in such cases, the “effective communication system” must include regular contact appropriate to the situation. As stated in this subsection, the contact must be regular and initiated by the employer or designate at intervals appropriate to the nature of the hazard associated with the worker’s work.

Subsection 394(2) Visit or contact

As alternatives to an “effective means of communication”, an employer can establish a system that includes visiting the worker, scheduling check-ins with other workers or designated persons, reporting to an office or particular person upon completion of a task, and visual or audible contact with other persons who can offer assistance when needed. The frequency of contact must be based on a hazard assessment. At a work site involving minimal hazards, the requirement may involve a conversation between workers at the time of shift change or reporting to work the next day. A more hazardous work situation may require regular check-ins or visits by a supervisor.

An effective means of communication or contact must always be provided by the employer in working alone conditions. An employer cannot, upon performing the hazard assessment, decide that a means of communication or contact is unnecessary. If a worker works alone at a work site in circumstances where assistance is not readily available when needed, a means of communication or contact must be provided.