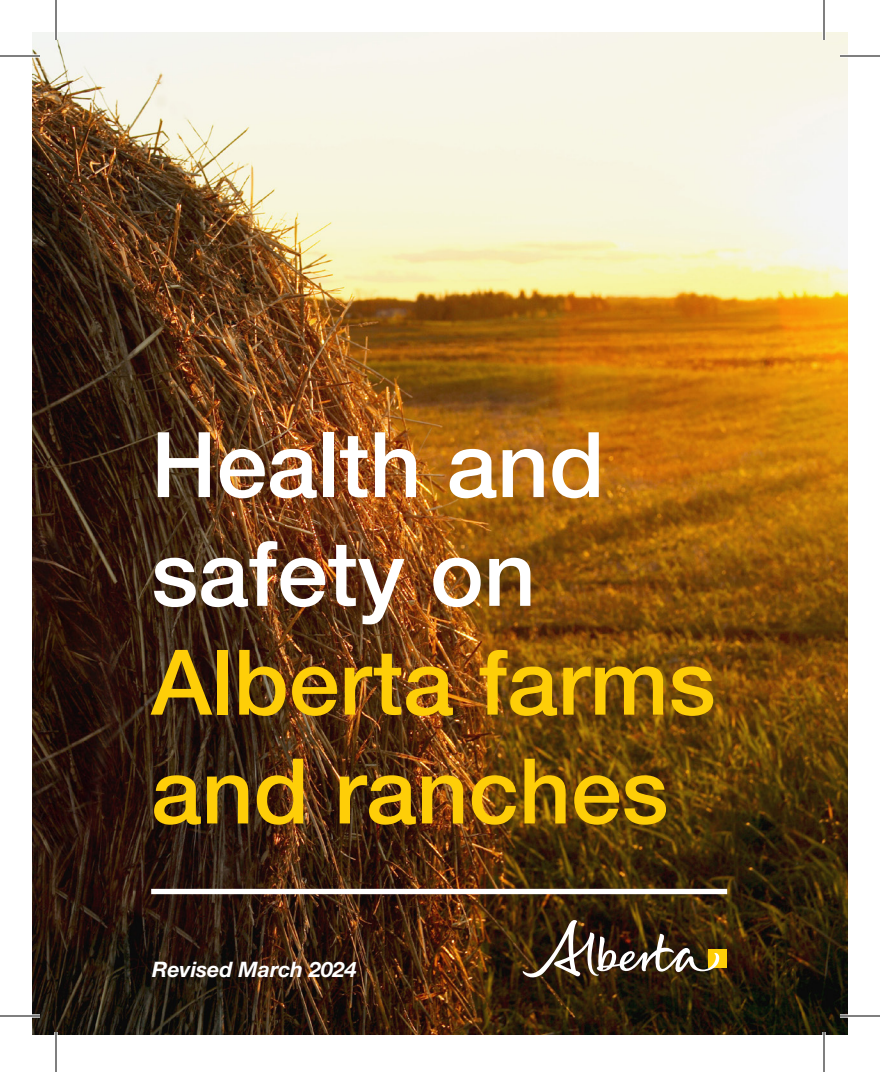




Health and safety on Alberta farms and ranches

Revised March 2024

Alberta 

Introduction

Agriculture is an integral part of Alberta's life and economy, and farming and ranching activities are common in the province. Because working on a farm or ranch can be hazardous in many ways, it's important to make sure you're following the occupational health and safety laws that apply to you.

Alberta's main occupational health and safety laws are the *Occupational Health and Safety Act* (OHS Act) and the Occupational Health and Safety Code (OHS Code). Due to the unique nature of farming and ranching, there are some special differences in how these laws apply to farms and ranches compared to other industries and workplaces.

Inside this handbook, you'll find information about:

- who is covered by OHS laws
- the fundamental rights and responsibilities of employers, supervisors, and workers on farms and ranches
- common hazards on a farm or ranch, and what needs to be done to keep everyone healthy and safe
- what to do if an incident occurs on your farm or ranch
- the role and duties of OHS officers
- additional resources to learn more about the topics mentioned in this handbook

It's important to note that this handbook is only an introductory guide to the OHS laws relating to farms and ranches. Always consult the actual legislation to ensure you're in compliance with any applicable occupational health and safety obligations.

Do OHS laws apply to you?

Special exceptions to OHS laws apply to people involved in farm and ranch operations in Alberta. A farm and ranch operation is defined as:

- production of crops (including fruits and vegetables) through the cultivation of land,
- raising and maintenance of animals or birds, or
- beekeeping.

In contrast, the OHS Act and OHS Code apply as usual to workers and their employers who are engaged in operations which don't meet that definition, such as:

- processing of food or other products from a farm and ranch operation as defined above,
- operation of greenhouses, mushroom farms, nurseries or sod farms,
- landscaping, or
- raising or boarding of pets.



Do OHS laws apply to you?

Waged non-family workers

Whenever waged workers who aren't part of the owner's family are working at a farm or ranch operation, the OHS Act applies to them (and their employers and supervisors).

However, the only part of the OHS Code that applies is Part 13, which contains requirements related to health and safety committees as well as health and safety representatives.

(Note: for farms and ranches, Section 201 in Part 13 applies to training of health and safety representatives and committee co-chairs, not all members of a health and safety committee as written in that section. This modification is specified in Section 1.1(5) of the OHS Code.)

For the detailed definition of who is considered a "family member," see Section 1(m) of the OHS Act. For the detailed definition of what types of worker compensation are considered "wages", see Section 1 of the *Employment Standards Code* and Section 1(cc)(i)(B) of the OHS Act.

Other workers

Unpaid or family workers in farming and ranching operations aren't considered to be workers under OHS legislation (and thus OHS laws don't apply), with one exception: they are considered workers for the purposes of Section 5(1)(a) and (b) of the OHS Act, which sets out several general health and safety obligations all workers must follow.



Do OHS laws apply to you?



Your rights and responsibilities

A primary goal of OHS legislation is to prevent work-related injuries, illnesses and deaths. To do this, the law assigns specific responsibilities to employers, supervisors and workers and others at the work site. No matter which role(s) you have, you need to know what the law requires of you and others.

Remember, these rules apply for waged non-family workers who are working at a farm or ranch operation as defined in OHS legislation.

If you're an employer...

You must do everything reasonably practicable to ensure:

- the health, safety, and welfare of your workers, other workers, and other people at the work site or in its vicinity
- your workers know their rights and responsibilities under OHS legislation



Rights and responsibilities

- your workers are not subject to and don't participate in workplace harassment or violence
- your supervisors are competent and know the OHS requirements that apply to your work
- your health and safety committee or health and safety representative – if you have either – comply with their legislated requirements
- you resolve health and safety concerns in a timely manner

In addition, you must ensure:

- your workers are trained to perform their work in a healthy and safe manner
- only competent workers, or workers supervised by competent workers, carry out dangerous work
- health and safety information – describing hazards, controls, work practices and procedures – is readily available to workers and (if applicable) the health and safety committee, health and safety representative, or a prime contractor

- OHS legislation is readily available at your site
- you cooperate with any person exercising a duty under OHS legislation

Health and safety committee, representative, or program requirements may apply:

- Employers with 20 or more regularly employed workers must establish a health and safety committee and a health and safety program.
- Employers with five to 19 regularly employed workers must designate a health and safety representative.

Note: People who work on your farm and ranch may or may not be considered workers under OHS legislation (refer to **Do OHS laws apply to you?** above).

For more information on health and safety committees, representatives, and programs, see the **Additional resources** section of this handbook.



Rights and responsibilities

If you're a supervisor...

You must:

- protect the health and safety of workers under your supervision
- prevent workplace harassment and violence
- tell workers under your supervision about all known or possible hazards in the work area
- ensure workers under your supervision follow legislated OHS responsibilities
- report health and safety concerns to the employer
- cooperate with anyone carrying out a duty under OHS legislation

If you're a worker...

You must:

- take reasonable care to ensure your own and others' health and safety while working
- cooperate with your employer, your supervisor, or any other person to protect workplace health and safety

- wear required personal protective equipment and use required health and safety devices or equipment
- refrain from causing or participating in harassment or violence
- report concerns to your employer or your supervisor about unsafe or harmful work site acts or conditions
- participate in health and safety training
- cooperate with anyone exercising a duty under OHS legislation

In addition to these responsibilities, you also have three fundamental rights as a worker:

- the right to know
- the right to participate
- the right to refuse dangerous work

For full details on all the rights and responsibilities of employers, supervisors and workers, consult the OHS legislation directly.



Rights and responsibilities

Hazards

A hazard is a situation, condition or thing that may be dangerous to health and safety.

Some of the hazards when working on a farm or ranch are the same as those found in other industries, while others are unique to farming or ranching work.

A health hazard is anything that could harm someone's health, either immediately or over time:



loud noises



chemicals



dust



repetitive
movements

A safety hazard is anything that could cause injury or property damage (usually right away):



machinery



moving
equipment



equipment/
slopes



working at
heights



tripping
hazards



weather

Some hazards have the potential to diminish a person's quality of life in some way for some time. Others can be deadly. Also note that some hazards can be both a safety hazard and a health hazard.



Hazards

Types of hazards

Work site hazards can be grouped into four categories: physical, biological, chemical and psychosocial. Here's a few examples of common farm and ranch hazards in each category:

Physical hazards



machinery



moving
equipment



confined
spaces



slip, trip and
fall hazards



lifting heavy
loads



livestock

Biological hazards



bacteria



mould



animal
waste



needles



disease
transmitted
from animals



allergens

Chemical hazards



fuel



pesticides



fertilizer



solvents



disinfectants



herbicides



methane
gas

Psychosocial hazards



fatigue
(long hours)



stress



distraction
(cell phone)



working
alone



impairment



violence



Hazards

Do something about hazards

As mentioned earlier, farm and ranch employers are exempt from almost all of the OHS Code, including its requirements relating to hazard assessment and control. However, farm and ranch employers still have a general duty under the OHS Act to ensure the health, safety, and welfare of their workers as far as is reasonably practicable. The OHS Act also requires all employers to keep information related to work site hazards, controls, work practices and procedures readily available.

Below are a few examples of ways some common farm and ranch hazards can be controlled. (Keep in mind that these are just examples; actual controls would need to be tailored to each work site.)

At the source	Between the source and the worker	At the worker
 insulate for sound	 follow safe work practices	 fitted clothing
 vent exhaust	 have an emergency response plan	 reflective clothing
 use manufacturer's safety features	 provide proper training and/or supervision	 eye protection
 use the right equipment for the job	 limit exposure to the hazard	 hearing protection
 keep cab windows clean		 proper footwear
 install safety measures		 respiratory protection



Hazards

Eliminating or controlling a hazard doesn't necessarily have to be complicated or expensive. Sometimes it simply involves thinking about and doing things a little differently than before:



Substitute a chemical product with something less toxic



Remove keys from equipment before doing maintenance

Communication

Employers should:

- show workers that they take everyone's health and safety seriously
- keep health and safety top of mind by talking about it regularly
- post key health and safety messaging in common areas
- encourage everyone to speak up about potentially serious incidents ("near misses")

A potentially serious incident is an incident that was likely to have caused a serious injury or illness, and where there is reasonable cause to believe corrective action may be needed to prevent it from happening again.

If you're a worker and you don't know the hazards of your job, ask your employer or supervisor.

Some questions workers should ask include:

- What are the hazards of the job?
- What do I need to do to stay safe at work?
- Do I need any special training?
- Do I need any personal protective equipment?



Hazards

Refusing dangerous work

Anyone who is considered a worker under OHS legislation has the right to refuse work if they believe on reasonable grounds there is an undue hazard at the work site, or that the work constitutes an undue hazard to themselves or others. They must promptly report their refusal and the reasons for it to their employer or supervisor.

Workers and employers must follow a number of steps as part of the legislated work refusal process. The steps in this process are provided in Section 17 of the OHS Act.

If something goes wrong

Despite everyone's best efforts, incidents can happen. If something does go wrong and somebody becomes ill or injured on your farm or ranch, you need to know what to do.

First things first

When it's safe to do so, taking care of the ill or injured person is your priority. Get them any appropriate medical care right away.

Reporting requirements

Once you've made sure the injured person has received necessary medical attention, you may need to report the incident. (Note: the following requirements only apply to farm and ranch workers, supervisors or employers to whom the OHS Act applies.)

Workers have to let their employer know about work site incidents as soon as possible. Depending on the nature of the incident or its consequences, employers might be required to report it to Alberta Occupational Health and Safety. If so, the employer is expected to do so as soon as possible for most types of incidents, as described below:



Reporting requirements

When to report by phone as soon as possible

Employers must call the OHS Contact Centre as soon as possible if:

- a worker has died at work or from an illness connected to the work site
- they believe a worker has been or will be admitted to hospital as a result of a workplace injury, illness, or incident (note: hospital admission doesn't include being treated and released from a hospital emergency department or urgent care centre)
- there has been an:
 - » an unplanned or uncontrolled explosion, fire, or flood that caused or could have caused a serious injury or illness
 - » a crane, derrick, or hoist collapse or upset
 - » a full or partial building or structural collapse or failure
- a worker has been exposed to radiation above the limits set out in Schedule 12 of the OHS Code

Call the OHS Contact Centre

1-866-415-8690 (toll-free in Alberta)

Have this information ready when you call

If you need to report to OHS, try to provide as much information as possible, such as:

- location, date, and time of the incident
- the nature of the incident
- main contact person and phone number
- name of the employer

When to report online as soon as possible

Employers must report mine or mine site incidents to Alberta OHS by visiting oirportal.labour.alberta.ca/pre-screening as soon as possible. Mine or mine site incidents are described in Section 44 of the OHS Code.

When to report a potentially serious incident

Employers must report any potentially serious incidents to Alberta OHS by visiting oirportal.labour.alberta.ca/pre-screening after their incident investigation is complete (see Investigating incidents below).

If you as an employer don't know whether or not you should report an injury or incident, call the OHS Contact Centre and ask.



Reporting requirements

Investigating incidents

Employers must investigate:

- any incident that they are required to report to Alberta OHS
- any potentially serious incident

Employers also have to prepare and distribute a report that outlines the circumstances of the incident, as well as any corrective actions taken to prevent a recurrence. The report must be distributed to the health and safety committee and representative, or to the workers if there is no committee or representative. Employers must also provide the investigation report to Alberta OHS, and must cooperate with any follow-up by Alberta OHS.

Note: For more information on incident reporting and investigation, see the **Additional resources** section of this handbook.

OHS officers

Alberta OHS officers are an important resource for farmers, ranchers, and their workers. They inspect work sites throughout the province for compliance with OHS legislation, and support and educate employers in creating and maintaining a healthy and safe work site for everyone.

When something goes wrong and a work site incident occurs, OHS officers may need to investigate. They look into health and safety incidents on farms and ranches across the province with an eye to preventing similar incidents, and ensure employers are meeting their legislative responsibilities. Employers, supervisors, and workers must cooperate with officers carrying out OHS inspections and investigations.

OHS investigations

When an OHS officer opens a formal investigation of an incident, the goal is to determine what happened and figure out what can be done to prevent similar incidents from happening again.



Role of OHS officers

As part of an investigation, OHS officers are authorized to:

- visit the work site where the incident occurred
- ask questions to determine the circumstances leading up to the incident
- request information from anyone present at the time of the incident or anyone who has information relating to it
- secure and collect any evidence from the scene
- stop work activities or equipment use on site (related to the incident)

OHS officers will only stop work activities if it's necessary for their investigation, or to ensure the health and safety of workers until hazards are eliminated or controlled.

Additional resources

There are many resources available for further information about the topics mentioned in this handbook. Here's a few to get you started.

Websites

AgSafe Alberta

agsafeab.ca

Canadian Agricultural Safety Association

casa-acsa.ca

Employment Standards Code

open.alberta.ca/publications/e09

Occupational health and safety:

Farm and ranch

alberta.ca/farm-and-ranch-ohs.aspx

Occupational health and safety legislation (including the OHS Act and OHS Code)

alberta.ca/ohs-act-regulation-code.aspx

OHS Legislation Search Tool

search-ohs-laws.alberta.ca



Alberta OHS resources

In addition to the websites above, a number of resources about the topics mentioned in this handbook are available on Alberta's OHS Resource Portal:

Guide to OHS: Employers

ohs-pubstore.labour.alberta.ca/LI009

Guide to OHS: Supervisors

ohs-pubstore.labour.alberta.ca/LI010

Guide to OHS: Workers

ohs-pubstore.labour.alberta.ca/LI008

Hazard assessment and control: a handbook for Alberta employers and workers

ohs-pubstore.labour.alberta.ca/BP018

Health and safety committees and representatives

ohs-pubstore.labour.alberta.ca/LI060

Health and safety programs

ohs-pubstore.labour.alberta.ca/LI042

Incident reporting and investigation

ohs-pubstore.labour.alberta.ca/LI016

Participation in health and safety for small business owners and workers

ohs-pubstore.labour.alberta.ca/LI055

Right to refuse dangerous work

ohs-pubstore.labour.alberta.ca/LI049

Roles and duties of OHS officers

ohs-pubstore.labour.alberta.ca/LI046

What to expect in an OHS inspection: Information for employers

ohs-pubstore.labour.alberta.ca/CI007

What to expect in an OHS inspection: Information for workers

ohs-pubstore.labour.alberta.ca/CI006

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This material is current to March 2024. The law is constantly changing with new legislation, amendments to existing legislation, and decisions from the courts. It is important that you keep up with these changes and keep yourself informed of the current law.



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Contact us

OHS Contact Centre

Toll-free anywhere in Alberta:

1-866-415-8690

For the deaf or hard-of-hearing (TDD/TTY):

1-800-232-7215

Notify OHS of health and safety concerns

alberta.ca/file-complaint-online.aspx

Call the OHS Contact Centre if you have concerns that involve immediate danger to a person on a work site.

Report a workplace incident to OHS

alberta.ca/ohs-complaints-incidents.aspx

Website

alberta.ca/ohs

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March 2024



Contact us

Alberta