

What to expect in an OHS inspection

Information for workers

This bulletin explains what you – as a worker – can expect when Alberta Occupational Health and Safety (OHS) carries out an inspection at your work site.

A [companion bulletin](#) gives similar information with an employer focus. The [Role and duties of Alberta OHS officers](#) bulletin gives more information about the legal inspection authority of OHS.

KEY INFORMATION

- The Alberta *OHS Act* gives OHS officers authority to inspect work sites to monitor compliance with OHS laws.
- OHS inspections are not the same as the work site inspections or incident investigations your employer carries out.
- As a worker, you must cooperate with officers carrying out OHS inspections.

OHS inspections

Why and when

OHS officers have a duty to carry out inspections, in order to assess compliance with OHS laws. Common reasons for an inspection include:

- Someone has contacted OHS with a concern.
- An officer is following up on a non-compliance.
- There was a work site incident.
- There's a [proactive inspection program](#) that relates to the type of work you do.

OHS work site inspections must be conducted during normal business hours. They are often unannounced. (The officer won't book them in advance.)

Officers don't need a warrant to inspect a work site. If the work site is in a private dwelling, officers must obtain the consent of the owner or occupant before entering. If consent is not given, a judge can issue a warrant.

No person shall interfere with or in any manner hinder an officer or a police officer who is exercising powers or performing duties or functions under this Act.



-OHS Act, s. 37

The *OHS Act* gives OHS officers specific powers. These are also called authorities. Many of an officer's inspection authorities are found in sections 34 and 35 of the *OHS Act*.

The inspection process

The person in control of a work site – the prime contractor, employer or their designate – is usually an OHS officer's main contact when they arrive on site and during their inspection. However, worker participation in OHS inspections is an important part of the process.

Standard practice is for an officer to arrange for an employer representative to accompany them on the inspection walk-through.

OHS officers may also ask a joint health and safety committee (HSC) member, their designate or a health and safety (HS) representative to accompany them. They have authority to do this under section 15 of the *OHS Act*.

If there is no HSC or HS representative, the officer can ask another worker to join the inspection.

During a walk-through, officers use their legal authorities to check for compliance. Some examples of the authorities OHS officers use in an inspection include:

- Talking with workers or other work site parties.
- Taking photos, measurements and recordings.
- Inspecting equipment, taking samples of materials or conducting tests.
- Bringing in or consulting with technical experts.
- Requiring assistance (including to access computers or to inspect equipment) or a demonstration (for example, of machinery or equipment).
- Reviewing training records, policies, procedures or other documents (printed copy or electronic).
- Obtaining statements from workers or other work site parties.

In talking with you as a worker, officers may ask you questions – for instance, to see your training records or

hazard assessment, or about the work that you do or the equipment you use.

Under section 35 of the *OHS Act*, officers can also require you to show identification, including verification of your role at the work site.

After the inspection

After finishing the walk-through, officers create and deliver a contact report that documents their inspection interactions, observations and findings.

Typically, the officer:

- Delivers the contact report in person and on the same day as the inspection.
- Reviews the contact report with work site representatives.

Contact reports include any orders the officer is issuing, what non-compliance they are related to, what has to be done to achieve compliance, and by what date. They can also include notices to produce, which require the production of health and safety related documents.

The review with the officer is a key opportunity for employer and worker representatives to ask questions about the inspection findings or contact report requirements.

Section 55 of the *OHS Act* requires prime contractors, owners or employers to post orders in a conspicuous place on the site; in the case of a mobile work site where it is not practical to post the order, they must ensure that all affected workers are aware of the orders and any related requirements. Contact report forms give direction about when and how to post orders.

Your participation is protected from disciplinary action

Disciplinary action is any action or threat of action that can negatively affect a worker's employment.

Section 18 of the *OHS Act* states that no one can take disciplinary action against a worker for complying with OHS laws or orders. This includes providing relevant information to OHS officers upon their request.

No person shall take any disciplinary action against a worker by reason of that worker acting in compliance with this Act, the regulations, the OHS Code or an order issued under this Act.



-*OHS Act*, s. 18

For more information, read [Disciplinary action complaints](#).

OHS professional standards

The roles and responsibilities of OHS officers are set out in Alberta's OHS legislation. In carrying out their duties, OHS officers are expected to act according to their published professional standards, [Professionalism in the Workplace: Integrity in Enforcement](#).

If you have questions about your role as a worker in OHS inspections, or concerns about an OHS inspection you were part of, call the OHS Contact Centre at 1-866-415-8690 (see next page for more contact information).

Contact us

OHS Contact Centre

Anywhere in Alberta

- 1-866-415-8690

Edmonton and surrounding area

- 780-415-8690

Deaf or hard of hearing (TTY)

- 1-800-232-7215 (Alberta)
- 780-427-9999 (Edmonton)

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

Get copies of the OHS Act, Regulation and Code

Alberta Queen's Printer

qp.gov.ab.ca

OHS

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

For more information

Disciplinary action complaints (LI061)

ohs-pubstore.labour.alberta.ca/li061

Guide to OHS: Workers (LI008)

ohs-pubstore.labour.alberta.ca/LI008

OHS compliance and enforcement

alberta.ca/ohs-compliance-enforcement.aspx

OHS investigations

alberta.ca/ohs-investigations.aspx

Professionalism in the Workplace: Integrity in Enforcement (BP034)

ohs-pubstore.labour.alberta.ca/BP034

Role and duties on an Alberta OHS officer (LI046)

ohs-pubstore.labour.alberta.ca/li046

What to expect in an OHS inspection: Information for employers (CI007)

ohs-pubstore.labour.alberta.ca/CI007

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