

What to expect in an OHS inspection

Information for employers

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

A [companion bulletin](#) gives similar information with a worker 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 determine compliance with OHS laws.
- OHS inspections are not the same as the work site inspections you and your workers carry out.
- As an employer, you must cooperate with officers carrying out OHS inspections.

OHS inspections

Why and when

OHS officers may carry out inspections, to determine compliance with OHS laws. Common reasons for an inspection include:

- Someone has contacted OHS with a concern.
- An officer is following up on 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 are required to obtain consent from 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*.

Arriving on site

When an officer arrives on site, they will identify themselves and explain the reason for the inspection. OHS officer identification includes their government-issued ID and business cards.

Before they start a site walk-through, officers gather information. This helps make the inspection safe and effective. As standard practice, an officer:

- Determines the legal identity of work site parties. To do this, the officer can require corporate, business or individual identification. The officer determines what they need.
- Asks questions to help understand the workplace, such as:
 - What type of work do you do?
 - How many workers and/or shifts are there?
 - What are the work site hazards?
 - What are your health and safety procedures?
- Arranges for an employer representative to accompany them on the inspection. The employer representative is the person in control of the site.

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 on the inspection. 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.

Site walk-through

During the site 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 or 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.

Officers make notes during their inspections. If applicable, they will discuss observed non-compliances and achievable compliance dates with the employer representative.

Compliance actions

OHS officers can take a range of actions to enforce compliance with OHS laws. These include issuing orders, writing tickets, issuing administrative penalties, or making referrals to prosecution.

Officers use a considered approach in choosing the appropriate action. This includes taking into account the nature and severity of the non-compliance.

For more on compliance actions – including penalty amounts and appeals processes – read the [Guide to OHS: Employers](#) or visit the [OHS compliance and enforcement web page](#).

After the inspection

After finishing the walk-through, officers create and deliver a contact report.

CONTACT REPORTS

OHS officers document their interactions, observations and findings in a contact report. 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.

Contact reports can also include notices to produce, which require the production of health and safety related documents.

The contact report form also gives direction about when and how to post orders (if applicable).

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.

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

As well, if work site representatives have concerns with an officer's actions, they can ask the officer to call a compliance manager to discuss the matter further, while the officer is still on site.

OHS encourages these on-site discussions because they allow for effective issues resolution.

Verifying compliance

Officers have options to verify that you have achieved compliance. These include re-inspecting your work site, reviewing documents or requiring a report on compliance from you. The officer decides what actions are appropriate in each case.

Read [Report on compliance](#) to learn more about this requirement.

Workers are protected from disciplinary action

Disciplinary action is any action or threat of action that can negatively affect a worker's employment. You cannot take disciplinary action against a worker because they have cooperated with an OHS officer during an OHS inspection.

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 laws. In the course of carrying out their duties, OHS officers are expected to act according to their published professional standards, [Professionalism in the Workplace: Integrity in Enforcement](#).

For more information on your rights as an employer, see the Alberta OHS bulletin on [Employers' rights](#).

If you have concerns about your OHS inspection, call the OHS Contact Centre at 1-866-415-8690 (see final 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: Employers (LI009)

ohs-pubstore.labour.alberta.ca/li009

Employers' rights (LI062)

ohs-pubstore.labour.alberta.ca/li062

OHS compliance and enforcement

alberta.ca/ohs-compliance-enforcement.aspx

OHS proactive inspection program

alberta.ca/ohs-proactive-inspection-program.aspx

Professionalism in the Workplace: Integrity in Enforcement (BP034)

ohs-pubstore.labour.alberta.ca/BP034

Report on compliance (LI052)

ohs-pubstore.labour.alberta.ca/li052

Role and duties on an Alberta OHS officer (LI046)

ohs-pubstore.labour.alberta.ca/li046

What to expect in an OHS inspection: Information for workers (CI006)

ohs-pubstore.labour.alberta.ca/CI006

© 2022 Government of Alberta

This material is for information only. The information provided in this material is solely for the user's information and convenience and, while thought to be accurate and functional, it is provided without warranty of any kind. The Crown, its agents, employees or contractors will not be liable to you for any damages, direct or indirect, arising out of your use of the information contained in this material. If in doubt with respect to any information contained within this material, or for confirmation of legal requirements, please refer to the current edition of the *Occupational Health and Safety Act*, Regulation and Code or other applicable legislation. Further, if there is any inconsistency or conflict between any of the information contained in this material and the applicable legislative requirement, the legislative requirement shall prevail. This material is current to April 2022. The law is constantly changing with new legislation, amendments to existing legislation, and decisions from the courts. It is important that you keep yourself informed of the current law. This material may be used, reproduced, stored or transmitted for non-commercial purposes. The source of this material must be acknowledged when publishing or issuing it to others. This material is not to be used, reproduced, stored or transmitted for commercial purposes without written permission from the Government of Alberta.

What to expect in an OHS inspection: Information for employers

©2022 Government of Alberta | Updated April 2022 | CI007

Classification: Public

