



**Announcer**

It is time for the *IHSA Safety Podcast*.

**Enzo Garritano:**

Welcome to this podcast series on supervisors. I'm Enzo Garritano, president and CEO of IHSA. This episode is hosted by IHSA's Ken Rayner, Vice President Customer Relations, Market Development, and Labor Relations.

Joining Ken today will be IHSA's own Alain Leger, Manager of Powerline Apprenticeship and Training, as they discuss the duties of a supervisor.

**Ken Rayner:**

All right, thanks very much, Enzo Garritano. Welcome to the *IHSA Safety Podcast*, Alain Leger. Hello. Hello.

**Alain Leger:**

Hello, Ken. Thanks for having me, sir.

**Ken Rayner:**

Great to have you here. Alain, it would be great if you could start off by introducing yourself to our listeners, giving them a little bit of background about yourself, about maybe some of your experience with supervising workers in the workplace, and about your responsibilities at IHSA.

**Alain Leger:**

Sure, thanks. My name is Alain Leger. I am a powerline technician by trade. Worked for both the contracting world and the utility world where I was not only a power lineman, but I was a lead hand and a foreman/health and safety advisor. I have supervised crew, led crews, as small as one or two guys, and as many as you know, five or six out in the field during regular day work, storm restoration, trouble calls, et cetera. And now my role here at IHSA, I was a powerline instructor teaching apprenticeship, teaching high-risk training activities. And then now I've recently moved into a management role where I manage the Powerline Apprenticeship Consultants. So we have about 16 full-time powerline trainers and a few administrative staff as well.

**Ken Rayner:**

Okay. So we want to get into today a look at Section 27 of the *Occupational Health and Safety Act*, which gets into duties of a supervisor. So just before the podcast I was sort of looking up the word duty and either A, it's a moral or a legal obligation or responsibility as in it's my duty to uphold the law or it's a task or an action that someone is required to perform, i.e., the Queen's official duties. Obviously, duties need to be taken seriously. They're important. So let's go through them. We're going to talk through each one, Alain, and get your perspective on each of the duties that are listed under Section 27, which talks about duties of a supervisor. So the first one says "a supervisor shall ensure that a worker works in the manner and with the protective devices, measures and procedures required by this act and the regulations."

So first, let's say the supervisor has to understand what regulations they're working under. They could be working under the industrial regulations, construction, healthcare, mining. So first, they need to understand the work that's taking place, what it aligns with and how would they know those types of things?

**Alain Leger:**

How would they know those types of things? Ken, it's about being a competent supervisor. So years of experience in the field, right? Taking different management courses or whatever kind of programs you want to call them, supervisory courses, *Basics of Supervising*, really knowing what job you're doing, the tasks involved, which will kind of point you in the right direction. Do you follow the construction regs, the industrial regs? Within those regulations, which ones actually apply to the work that your crews are doing. The "Green Book", like you call it's a thick book, it's a difficult book to maneuver if you don't understand. The more time you spend opening it up, opening it up, looking through things, the better you'll be. And there's a lot of great information in there. A lot of information that we all have to follow, these rules and regulations. And I don't think a lot of us know what that book says.

So being a competent supervisor, you know where to source the information, you know how to source it, how to look it up. You need to make sure your crews are following the regulations that apply to the work they do.

**Ken Rayner:**

So coming from the utility world and being a powerline technician, you would've worked both under the industrial regs and the construction regs. And I take it there's times maybe when it's not 100 per cent clear, which regs you're working under, how do you actually determine which is the right way to go and then proceeding accordingly?

**Alain Leger:**

We used to go with the more stringent regulation. In the powerline world, we also have the *Electrical and Utility Safety Rules*. It's a set of 50 rules that we have to follow that's mentioned both in the industrial and the construction regulations. But as a company, we took a stance where if we're doing some work that might fall under the industrial, if it wasn't very descriptive within the regulation, we would look at the construction regulation. And if the construction regulation was more descriptive,

more stringent, that's the one we would follow because at the end of the day, we want to do everything we can to keep our workers safe. So if the construction reg was a little more stringent, that's what we'd follow.

**Ken Rayner:**

All right. So I'm going to bounce down to the last one just to talk about it real quick, which the last clause here, under duties of a supervisor, which is take every precaution reasonable in the circumstances for the protection of the worker. Could that be example of one of those circumstances where you've taken every precaution reasonable because you looked at the industrial regs and said, I don't think there's enough here and we're going to go to the higher standard?

**Alain Leger:**

Absolutely. 100 per cent. That is a catchall, like you say, take every reasonable precaution. And when we go through our other three or four parts of the duties of a supervisor, it doesn't really mention training in there. In the power line field as well as any other trade, we use a lot of equipment, we follow a lot of processes, procedures. It's not the days of just giving somebody a hammer or giving somebody a saw or a belt or whatever in here, go to work, those days are done, right? We need to make sure that we're training our workers in the tasks that we expect them to complete. And we need to make sure that we're training our workers in the use of the PPE [personal protective equipment] that we'll get into how to properly wear it, properly fit it, the use of it, the care of it. We need to do a good job. As a competent supervisor, you need to make sure you're doing a good job training your staff in all tasks.

**Ken Rayner:**

All right. So you mentioned personal protective equipment. Why don't we talk about that? So under Section 27(1)(b), it says "a supervisor shall ensure that a worker uses or wears the equipment, protective devices or clothing that the worker's employer requires to be used or worn."

**Alain Leger:**

In most tasks, even if your company doesn't have a joint health and safety committee, in most tasks, there's a procedure or there's a process on how to complete that task. And part of that would be what do we need to wear, what kind of PPE do we use to keep our workers safe? PPE is not an end-all, be-all right? It's our last line of defence if you want to call it that, because it's on us, it's on our person. So if it fails, you're in direct contact with that hazard we're trying to protect against. But the PPE use is very important and sometimes it's the most neglected, right? Sometimes it's not comfortable to wear, it's easier to do without, right? If it's a quick job, take those safety glasses off, maybe it's a cool day and your glasses are fogging up, especially right now with our masks.

When your supervisor comes around, I used to think when I'm down in the trench and I'm sweating and taking my sunglasses off, taking my hard hat off because it's hot, the lead hander supervisor would come around and say, "Hey, put your glasses on, put your hard hat on." I think I used to think he was just being hard on me, but he is not. He's doing his job. Part of being a good supervisor is making sure that your workers are wearing the PPE they're supposed to because you want them going home at the end of

the day the same way they came into work. And you want them wearing that. It's part of your duty to make sure that they're wearing the PPE that they're supposed to.

**Ken Rayner:**

And it's the last line of defense.

**Alain Leger:**

It's the last line of defense.

**Ken Rayner:**

We talk about the hierarchy of controls. So if an organization or if a supervisor has gone through that process and said, "Hey, can we eliminate the hazard?" Can we control the hazard at the source? Can we control the hazard along the path? Can we redo something from an administrative perspective? And if the answer is not succinctly, we can't eliminate the hazard, we can't control it to the point where we know there's not going to be a danger, then that last line of defense is really that PPE.

**Alain Leger:**

Absolutely.

**Ken Rayner:**

And if that worker is not wearing it and that supervisor isn't tuned into what PPE they need for a particular job, then unfortunately, we could have a result that nobody wants.

**Alain Leger:**

Absolutely.

**Ken Rayner:**

So let's go to subsection two where it talks about additional duties of a supervisor. So without limiting the duty imposed by subsection one, so we're saying the one still applies. We also have a couple other extra ones that supervisors have to pay attention to, and that is "advise a worker of the existence of a potential or actual danger to the health and safety of the worker, of which the supervisor is aware." Let me go through that again. "Advise a worker of the existence of any potential or actual danger." So we're not just talking about one that's very evident. We're talking about one that could be there, but perhaps without being competent or understanding what the dangers are because of experience and knowledge and know-how. Now we've got a danger perhaps to the worker. So let's talk about that one. So advising a worker of the existence of a potential or actual danger to the health and safety of the worker.

**Alain Leger:**

Absolutely. So before every task, before you set your crews out, when you're at the job site, even before they leave, it's important to have that conversation, right? We're going to be going to Bruce and Goose

Street today and we're going to be performing A, B, C as part of being a competent supervisor. Like you said, Ken, it's not only about protecting them against the hazards that you can see that everybody can see, but it's about the potential, right? A good supervisor will have years of experience in the field, years of experience completing that task. They should be able to have input and insight on what could go wrong. And that's what we're really trying to protect against as well, is not what we can see happening, but what might happen, right? The unforeseen hazard or the unforeseen release of energy or whatever it is.

**Ken Rayner:**

Just going back, did you say the corner of Spruce and Goose?

**Alain Leger:**

Yes. Spruce and Goose.

**Ken Rayner:**

I haven't heard that saying before. May use that. Do I have permission to use that?

**Alain Leger:**

100 per cent. Go ahead.

**Ken Rayner:**

All right. Moving on to the next one. We've got "a supervisor shall where so prescribed, provide a worker with written instructions as to the measures and procedures to be taken for protection of the worker." So why do you think that they added the word "written" and didn't just say instructions?

**Alain Leger:**

When you're dealing with multiple crews, bigger crews, doesn't matter what it is, a verbal communication, a verbal message, you can take that verbal message and you can break it down and repeat it or share it with your version of what I'm trying to say. But if I give you written instructions, it's A, B, C. If you and I have a verbal conversation, I tell you, "Hey listen, don't step over this trench. There's a good fall hazard," right? There's a strong potential for you to drown or whatever it is, right? If we have that verbal conversation, if something were to happen, there's no documentation to protect you as the supervisor.

If I give you written instructions, say, Hey, listen, don't go over here, there's a danger here. Don't do this, there's a danger there. If I give you that written document, you will have it to follow, right? If I leave, if I got to go somewhere else, you still have those instructions, number one, as a worker and with me sharing those with you, with us having that conversation about that written document, we both sign off. Well, then as a supervisor, it also protects you if, God forbid, something were to happen.

**Ken Rayner:**

Now, supervisors are required to do regular workplace inspections, correct?

**Alain Leger:**

Correct.

**Ken Rayner:**

Could they potentially use that written procedure or that written instructions as a means to be able to perform a workplace inspection? So I'm talking about not just looking at the physical hazards, not just looking at the hazards that are the trip hazards, or is the fire extinguisher signed off, but actually are the workers following the instructions as prescribed? And that in it sense is an inspection as well. It's an evaluation as to whether or not the workplace has all the functionality in terms of a safe workplace. And part of that is following the instructions as were written that say, this is the safest way to complete the work.

**Alain Leger:**

Absolutely. And I mean, in my world, in the power line world, we're lucky where part of, like I said before, the *Electrical Utility Safety Rules*, one of those rules is we need to have a documented policy and procedure on all the tasks that we do. So we have those tasks or those procedures. If we're going to go in, change a pole or cutting an inline switch or whatever task it is, we have a documented step-by-step that we follow.

As a supervisor, you might have multiple crews. So I might stop in at job A and I might say, Hey Ken, I want you guys to do A, B, C, right? I leave. You turn around, and maybe somebody didn't hear me properly and they said, Hey Ken, what did Al say? Oh, well, Al said B, C, A, right? Or you give them a version of what you thought I meant, and then something might happen. Who knows?

But if I give you guys a written message, written documentation, I can leave. I go check my other crews. If you don't remember what I had said, you look back and it's written down for you. It's jotted down. There's no misinterpretation of the message because it's there. If something were to happen, the Ministry of Labour comes in and there's an investigation. If there's a critical injury, if fatality, whatever have you, a verbal conversation has never happened. As part of a supervisor, as much as you want to protect your workers, you have to document that you're protecting these workers as well.

**Ken Rayner:**

So then we get into that last one where it says "take every precaution reasonable in the circumstances for the protection of the workers," which we talk about that big catch-all. And what you were just saying, what I was hearing you say was this is really based on risk. So the anticipation isn't that the supervisor comes on-site and says, Hey, I just want everybody to remember that lunch is at 12 o'clock and I'm going to write that down for you so everybody remembers. There's not risk associated with that, except for maybe some people being hangry. But when you're talking about, Hey, you know what, I'm bringing you this new piece of equipment that maybe you haven't used before or you haven't used for a year or two, and remember that Alain, when you use it, do A, B, and C and D, and it's all verbal.

If I did that, if I delivered a piece of equipment as a supervisor to a site and gave you some verbal instructions on a piece of equipment that you don't use very often, would you state that I'm taking every precaution reasonable in the circumstances to protect that worker?

**Alain Leger:**

Not at all. That catch-all ... So your new piece of equipment, not only is it, here you go, here's a list of how to use it. A, B, C, D, E, you need to be trained on how to use that piece of equipment. Proper training. Documented training is part of those duties.

**Ken Rayner:**

All right. So important things for supervisors to remember, remembering what their duties are under the act. And Alain Leger, thanks very much for helping explain that to our listeners on duties of a supervisor today.

**Enzo Garritano:**

Thanks for listening. To hear more in this series, join Ken Rayner as he speaks to other IHSA subject matter experts at [ihsasafetypodcast.ca](http://ihsasafetypodcast.ca). Thanks for listening. I'm Enzo Garritano.

**Announcer**

The *IHSA Safety Podcast*. For more episodes, tips, and all things safety, go to [ihsasafetypodcast.ca](http://ihsasafetypodcast.ca). Thanks for listening.