

Saskatchewan Chamber of Commerce Submission to the Occupational Health and Safety Regulations Review

November 30, 2025

The Saskatchewan Chamber of Commerce (the Chamber) is pleased to provide this submission in response to the discussion paper on Occupational Health and Safety Regulations Review. The Chamber, which is supported by provincial businesses and local Chambers of Commerce, advocates for policies that increase the attractiveness and competitiveness of operating a business in Saskatchewan. Our overarching goal is to make this province the best place to live, work, and invest.

The Chamber has long emphasized that safe workplaces are a key competitive advantage. For individual employers, high injury rates disrupt operations, increase replacement and training costs, and compound the financial burden of regulatory compliance and penalties. Beyond the workplace, the societal impact of workplace injuries extends to higher public health and social costs, reduced productivity, and diminished community well-being. Ultimately, a province with consistently low workplace injury rates enjoys a stronger, more resilient, and more competitive economy. Nevertheless, the Chamber is also very mindful that there is always a cost to regulation.

It is critical that government understand and pay close attention to the cost of regulatory compliance. Duplicative or excessive regulation can create a competitive imbalance that will impair the ability of Saskatchewan enterprises to compete in world markets. It is important to understand that overregulation, or impractical regulatory requirements, can easily erase any improvement offered to the economy through enhanced safety; regulating through a competitive lens is essential to the stability and growth of our economy.

The Chamber welcomes the opportunity to provide input into the first stage of The Occupational Health and Safety Regulations, 2020 review (Parts 1 to 5). Meaningful consultation is the cornerstone of effective regulatory reform, and the Chamber appreciates the questions posed through this process. Our members share a common goal: effective, applicable, practical, and clear regulations that promote safety, stability, and productivity.

Discussion Questions

Notifications to the Ministry

- Are the existing notification requirements in part 2 of the regulations adequate?
- Is the notification period of a high risk asbestos process in section 2-1 adequate?
- Is the notification requirement in section 2-2 sufficient?

During consultations, Saskatchewan Chamber of Commerce members frequently raised questions regarding the current notification requirements under the Occupational Health and Safety Regulations, particularly around what actions the Ministry undertakes once a notification is submitted and how this process contributes to improved safety outcomes. Many employers expressed uncertainty about the practical value of these notifications, noting that the purpose and benefits are not well understood. As the Ministry reviews these requirements, the Chamber respectfully encourages a closer examination of both the intent of the notification process and the tangible value it provides to workplaces. Where the notification action is required but no corresponding action and value is provided by the Ministry, we encourage the elimination of the requirement. If the notification requirement is determined to be necessary and effective, we further recommend clearer communication to the business community about its purpose and importance so employers can better appreciate its role in the broader safety framework.

Should the requirement for notice continue, giving notice to ministry section 1-3(1) specifies “the notice must be in writing, directed to the director or an officer and delivered to the director or officer personally or by fax, courier or post.” The Chamber recommends the modernization of this language to enable electronic methods of notice, specifically employers raised concerns over the lack of record available when notice is provided by telephone.

Under Notice Requirements – New operations 2-1(3)(f) the requirement to provide a fax number should be eliminated with the same change being made to section 2-2(2)(f) and section 2-3(3)(d).

The Chamber has also reviewed the notice period for dealing with high-risk asbestos, set out in section 2-1(2), which requires a 14-day notice (or delay) period prior to dealing with high-risk asbestos. The expertise for asbestos management lies with the private sector in Saskatchewan, and professional planning should be the timeline determinate. Our members, when they encounter asbestos, would like to deal with the issue immediately, so long as they have the proper protections, equipment, and safety measures in place. A waiting period of 14 days can cause projects to be delayed, and can cause financial losses. The Chamber recommends that the 14-day period be eliminated, and replaced with language along the following lines:

(2) Before beginning the process, an employer, contractor, or owner shall give notice to the Ministry of the intention to begin a high-risk asbestos process listed in Table 5 of the Appendix, and confirm that the employer, contractor, or owner has the proper workplace health and safety precautions in place to perform the work.

With respect to the discussion questions regarding the existing notification requirements in Part 2 (Accidents Causing Serious Bodily Injury), we again urge the Ministry to provide employers with a clearer understanding of the purpose of these notifications and the value the process delivers. Nevertheless, should notification continue to be required, the Chamber believes that the 72-hour threshold is not the right metric. The Chamber recommends the Ministry align its notification requirements with the Saskatchewan Health Authority’s severity index, which classifies injuries based on their impact on health outcomes rather than duration of hospital stay. By adopting this evidence-based framework, the Ministry would ensure that reporting obligations reflect the true seriousness of workplace injuries.

Youth Employment

- Do you have any recommendations to improve the regulatory provisions related to youth employment?
- Is the list of prescribed places of employment in section 3-3 of the regulations relevant and sufficient?

The Saskatchewan Chamber of Commerce supports a clear and effective regulatory framework that ensures youth are employed in safe, appropriate environments while supporting meaningful early-career opportunities that strengthen Saskatchewan's labour force. The Chamber views the list of prescribed places of employment in section 3-3 of the regulations as adequate, and urges the Ministry to maintain the current list.

Occupational Health and Safety Program

- Are the requirements for an occupational health and safety program adequate?
- Is the list of prescribed workplaces in table 7 relevant and sufficient?
- Is the threshold of 10 workers adequate?

The Chamber believes the current requirements for an occupational health and safety program are appropriate.

Regarding the list of prescribed workplaces, the Chamber recommends that, going forward, any OH&S prescribed industry in the regulations is labelled according to Workers' Compensation Board (WCB) rate code. This would allow for a clearer comparison between OH&S requirements and safety performance. Further, the Chamber recommends that the list be reviewed and updated based on data and demonstrated risk, using WCB injury and claims statistics. Some industries on the list have seen significant improvements in safety performance due to automation, improved training, or technological innovation, while others not currently prescribed may now present higher risks. The Chamber recommends a five-year review cycle for the prescribed industries list to ensure it remains relevant and evidence-based as Saskatchewan's economy evolves.

The Chamber encourages a closer examination of Section 2-3(2)(3)(4) which requires an employer to give notice to the Ministry as soon as is reasonably possible after any dangerous occurrence, whether or not a worker sustains injury. The Chamber fully supports the analysis of dangerous occurrences to prevent possible future injury however, under section 3-20(1) an employer, contractor, or owner is obligated to ensure that every dangerous occurrence is investigated as soon as is reasonably possible. Chamber membership would like clarity on what role the Ministry fulfills after being given notice of a dangerous occurrence and/or what purpose providing notice serves. Without a valid reason for continuing this practice, the Chamber recommends its elimination.

General Duties of Workers

- Not addressed in the discussion paper

The Chamber has heard concerns from members about there not being a duty on workers to show up to a workplace or worksite "fit for duty". Based on feedback from its members, the Chamber recommends adding a requirement under section 3-2 (General Duties of Workers) as follows:

3-2 A worker shall:

[...]

(c) report to work, at any workplace, fit and ready for duty. Specifically, a worker has a duty not to show up for work when the worker has consumed any drug or alcohol that has the potential to impair the worker, or when the worker is in a physical or mental state where the actions or omissions of the worker could reasonably pose a risk to workplace safety, property, or other persons.

Employers' Duty to Investigate Accidents

- Is the existing requirement relevant and sufficient?
- Is the 24-hour hospital admission requirement adequate

The Saskatchewan Chamber of Commerce believes the current duty to investigate serious workplace accidents is an appropriate standard. However, the Chamber believes including the co-chairpersons (3-18(1)(a)) is not an appropriate approach. While these individuals play a vital role in workplace safety, they may lack the specialized training, technical expertise, and investigative experience necessary to properly assess complex incidents. Moreover, co-chairs in the position of investigating serious accidents may be directly exposed to traumatic circumstances without adequate support. The Chamber recommends that the Ministry revise this requirement so that investigations of serious accidents are conducted by qualified personnel.

Regarding the 24-hour hospital admission requirement, the Chamber again recommends using the Saskatchewan Health Authority's severity index.

Interference at the Scene of an Accident

- Are the existing requirements adequate?
- Is the application of section 3-19 to the scene of fatality sufficient?

Section 3-19(1) remains adequate. However, the Chamber recommends removing co-chairpersons from section 3-19(2)(b) for the reasons outlined above. Additionally, the requirements could benefit from clarification to allow for immediate, limited disturbance of the scene to address ongoing hazards that are immediately dangerous or to prevent substantial property loss.

The SCC cautions against lowering the threshold for interference at the scene of an accident. Expanding the requirement to include "serious injuries" without a clear and precise definition risks creating uncertainty and significant operational burdens for employers, including the need to hold a scene for extended periods while awaiting confirmation of medical outcomes such as hospitalization duration. To maintain clarity and practicality, the SCC believes that the current application of Section 3-19 for fatalities remains appropriate and sufficient.

Working Alone or at an Isolated Place of Employment

- Do you have any recommendations to improve the regulatory provisions related to working alone or in isolation?
- Is the list of mandatory measures sufficient?

The Chamber supports the existing list of mandatory measures, but the organization would be supportive of an additional requirement for documentation of compliance (e.g., digital logs, checklists, or other verifiable formats).

Harassment and Violence

- Do you have any recommendations to improve the regulatory provisions related to harassment and violence?

The Chamber cautions against overly prescriptive approaches in this area. Regulations must be linked to practical action to benefit workers' health and safety. Many workplaces have no history or foreseeable risk of violence, and a one-size-fits-all model would impose administrative burden without improving safety. Our organization wants to ensure the regulatory burden for the development of violence in the workplace policies remains minimal. Given these considerations, the Chamber considers the regulatory provisions for harassment and violence to be sufficient.

Members have noted that officers sometimes apply a narrow checklist approach to enforcement, resulting in penalties even when employers act in good faith. The Chamber believes that enforcement should begin with education, practical guidance, and collaborative problem-solving, particularly for small businesses striving to meet their obligations. A supportive approach would better align with the purpose of the regulations and would avoid imposing unnecessary regulatory burden on workplaces where the risk of violence is minimal and employers have already invested significant effort in developing policies.

Occupational Health Committees and Representatives

- Are provisions in Part 4 of the regulations appropriate?
- Is the list of prescribed workplaces in table 7 relevant and sufficient?
- Which party should be responsible for ensuring that a committee meets and that minutes are recorded and posted?

The Chamber acknowledges that OH&S committees and safety representatives can be impactful when they are effective, but their presence alone does not necessarily make workplaces safer. Where OH&S committees and safety representatives are experienced and engaged, they have successfully created a safety culture that reduces occupational illness and injury through dialogue, education, and the application of common sense. These solutions offer better workplace safety improvements than broad, government-instituted regulations. Considering this, the Chamber recommends eliminating section 4-4(1)(b), as the prescribed initial frequency of meetings does not accurately reflect the workload or needs of all committees. The existing special meetings provision already provides a mechanism for convening more frequently when circumstances warrant, ensuring flexibility without imposing unnecessary administrative burdens.

Employers in some low injury rate code industries have concerns about the applicability and practicality of the threshold for requiring an OH&S committee. The Chamber strongly believes the ability of an OH&S committee to serve an effective purpose is significantly more important than the number of workplaces operating such committees. The establishment of committees in some workplaces is impractical in many respects as the resources committed and the training required to meaningfully participate is not balanced with the benefits of such a committee being in operation. Considering this, the Chamber recommends that the requirement for OH&S committees be linked to industry as opposed to the number of employees. At minimum, the Chamber would like to see the number of employees required in a non-prescribed workplace before the requirement of an OH&S committee be increased to 20. The Chamber considers the requirement for an OH&S

committee or safety representative for prescribed places of employment to be adequate. Further, as explained in the Occupational Health and Safety Program section, the Chamber recommends that the prescribed place of employment list be altered to reflect the WCB rate code and injury rates. Those codes that have the highest injury rates should create the prescribed places of employment list.

The Chamber also believes that additional consultation could be done on potential mechanisms to better ensure recommendations are acted upon as a component of the committee performance and accountability measures. Beyond this, the duties of the OH&S committees are sufficient.

With regard to which party should be responsible for ensuring that a committee meets and that minutes are recorded and posted, the SCC views this as a shared responsibility; employer are ultimate accountability to ensure the committee functions effectively, including providing resources, supporting meetings, and ensuring minutes are posted; co-chairs of the committee are responsible for scheduling meetings, creating agendas, and facilitating discussions, and committee members are responsible for ensuring accurate recording of minutes.

Harmonization of First Aid Requirements

- Are the requirements for first aid rooms in section 5-9 sufficient?
- What is the impact of harmonizing first aid training requirements?

The Chamber would once again like to emphasize the challenge and cost imposed by First Aid/First Aid Attendant provisions of the OH&S Regulations that have not triggered a demonstrated improvement in outcomes. The regulations require employers and contractors to provide first aid personnel corresponding with the risk assessment and the number of workers at a workplace without the relative distance to the nearest medical facility being considered as a mitigating factor. Specifically, Table 9 in the previous version of the regulation took into consideration the relative distance from an operation to the nearest medical facility. The omission of this caveat in the most recent version of the regulations creates unnecessary staffing challenges and expenses for worksites which are located in close proximity to medical services. The immediate availability of professional care reasonably reduces the need for higher levels of on-site first aid staffing, and should be reflected in the regulations. The Chamber encourages the Ministry to re-introduce flexibility that recognizes proximity to medical facilities as a relevant factor.

Beyond this correction, the Chamber supports the harmonization of first aid requirements and recognizes the value of adopting CSA Z1210-17 to harmonize first aid training standards nationally as it provides clarity and consistency for employers operating in multiple jurisdictions. However, the Chamber recognizes that there is a direct cost to businesses in purchasing CSA standards, which can create barriers to accessibility and compliance, particularly for smaller enterprises. To mitigate this, the Chamber strongly encourages the government to make clear the details of the standards to be followed, ensuring that employers can fully understand and implement the requirements without incurring additional expenses.

Additional Consideration - Utilization of OH&S Penalties

While the Chamber fully supports the use of penalties as an enforcement mechanism to ensure compliance, there is an opportunity to put OH&S violation penalties to better use in enhancing workplace safety. The Chamber would like to see provisions introduced to allow for deferred

prosecutions. Ideally an employer could agree to pay a required penalty prior to prosecution, but rather than being directed into the government's general revenue fund, the funds could be invested in training or equipment acquisition to prevent similar incidents in the future. This would not necessarily need to be focused on a single workplace - for example, an employer penalty could be used to fund a post-secondary course focused on training current and future workers in their industry on safe operations related to the violation.

To successfully operate this type of system, the Ministry would have an important role. The Ministry would need to come to a voluntary compliance agreement with the employer regarding the conditions, requirements, and outcomes that would need to be achieved to enhance safety in the workplace and therefore merit the deferred prosecution. After the completion of these requirements, as laid out by the Ministry, the Chamber believes that the charges against the employer should be stayed.

This approach does not need to be limited to employers prior to prosecution. After a conviction, employers found guilty of an offence should have the ability to apply for a conditional sentencing or fine options process (e.g. funding education/training, remediation agreements, etc.). Enabling penalty funds to be used to address the foundational issues that led to an OH&S violation will create positive change for workplaces across the province.

Conclusion

Thank you once again for the opportunity to provide comments on the discussion paper reviewing Saskatchewan's Occupational Health and Safety Regulations (Parts 1-5). Saskatchewan employers recognize the critical role of regulation in establishing safe workplaces and take these responsibilities seriously. The continued improvement in safety culture across the province demonstrates that meaningful progress is being made.

As the Ministry considers potential updates arising from this review, the Chamber encourages a measured and cautious approach. Regulatory changes can carry unintended consequences that have significant impacts on employers and workers alike. We also urge that any targeted amendments be grounded in clear, demonstrable evidence.

In response to the discussion paper, the Chamber recommends the following:

1. Review the intent of and value provided by the notification requirements with an aim towards red tape elimination.
2. Modernize language to enable electronic methods of notice.
3. Eliminate the requirement to provide a fax number.
4. Substantially shorten or eliminate the notice period for a high-risk asbestos process.
5. The notification requirements in Part 2 (Accidents Causing Serious Bodily Injury) should align with the Saskatchewan Health Authority's severity index.
6. Maintain the current youth employment restrictions.
7. Preserve the current OH&S program requirements.
8. The OH&S prescribed industries in the regulations should be identified according to WCB rate code.
9. After completely recommendation 8, the WCB injury rate should be used to determine prescribed industries.

10. Examine section 2-3(2)(3)(4) for red tape elimination.
11. That an addition be made to the duties of workers.
12. Co-chairpersons should not be included in the duty to investigate accidents.
13. Remove the co-chairpersons of a committee from 3-19(2)(b).
14. Do not expand the Interference at the Scene of an Accident provision.
15. Amend the working alone provisions to require documentation of adherence.
16. The Chamber considers the regulatory provisions for harassment and violence to be sufficient.
17. Eliminated frequency of meeting requirement 4-4(1)(b).
18. That the requirement for OH&S committees be linked to industry and injury rates as opposed to the number of employees, or at minimum, the Chamber would like to see the number of employees required in a non-prescribed workplace before the requirement of an OH&S committee be increased to 20.
19. Re-introduce flexibility that recognizes proximity to medical facilities as a relevant factor for determining first aid attendants.
20. Introduced provisions to allow for deferred prosecutions, voluntary compliance agreement, and penalty payment options outside of the general revenue fund.

Regulatory change will always create some degree of surprise, which makes clear and proactive communication essential. It is therefore incumbent upon the Ministry to ensure that stakeholders are well informed throughout the process. Additionally, as these recommendations are considered, please reach out if the Chamber can provide support in any way.

Sincerely,



Prabha Ramaswamy, CEO

Saskatchewan Chamber of Commerce