

Farm and Ranch Safety and Health Association

A Model for Farm Safety in Alberta

Report to the Office of the Minister of Agriculture
Province of Alberta

Researched and Compiled By: Wild Rose Agricultural Producers

This report will focus on the Farm and Ranch Safety and Health Association (FARSHA) in British Columbia as a possible model for an agricultural safety education and training program in Alberta. This is presented as a potential basis of an Alberta-based farm health and safety organization. Its main purpose would be to address concerns about agricultural health and safety and to effectively educate and train farmers in order to prevent injuries and illnesses resulting from agricultural operations.

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1. Background Information

In a written report to the Minister of Justice and the Attorney General of Alberta regarding an accidental death on a farm feedlot, Judge Peter B. Barley made two recommendations regarding farm safety in his inquiry.

One recommendation suggested “paid employees on farms should be covered by the Occupational Health and Safety Act... with the same exemption for family members and other non-paid workers that apply to non-farm employers.” This recommendation refers to the Farm and Ranch Exemption Regulation, Alberta Regulation 271-1995, making farmers exempt from the Occupational Health and Safety Act.

The second recommendation by Judge Barley suggested “training programs be set up by the Department of Agriculture to address ways to minimize the risk of hazardous activities, with a system to record training received by both employers and employees.”

Rather than creating legislation, the stakeholders in Alberta's primary agriculture production favour the formation of an Alberta wide organization addressing safety and health concerns on farms and in the agricultural industry. Having voluntary involvement and high safety standards that can be achieved by farmers through an Alberta wide farm safety organization will reduce the risk that farmers will be penalized or fined for legislation that may not address the unique situation that farmers have in comparison to other industries.

Wild Rose Agricultural Producers recommends to the Honourable Minister of Agriculture for his consideration of the formation of a province-wide organization to address farm safety in Alberta. Wild Rose Agricultural Producers has prepared this report as an outline for how this organization could operate and what its operations would consist of.

This report is based on a farm safety organization in British Columbia called the Farm and Ranch Safety and Health Association (FARSHA). The Farm and Ranch Safety and Health Association is a strong organization in British Columbia with a high level of success in raising awareness of farm safety, of workers rights, and of proper safety techniques and training. It is for those reasons that Wild Rose Agricultural Producers highly recommends, if a decision is to be made that a farm safety organization of such a nature be created, that it is modeled after the Farm and Ranch Safety and Health Association. This association is further detailed in the following pages as a basis for how an Alberta farm safety organization could operate, how it could be governed, and how financial operations of the organization could be handled.

Information about FARHSA was retrieved from FARHSA resources and independent reviews of FARSHA.

2. The Purpose of the Farm and Ranch Safety and Health Association

The Farm and Ranch Safety and Health Association (FARSHA) are based in Langley, British Columbia, but are province wide in its operations and services. The mission statement of FARSHA says:

“FARSHA seeks to reduce the number of accidents on farms and ranches in British Columbia through an active program of education and training and consultation in all regions of the

province.”

Funded through WorkSafeBC, FARSHA was created in 1993 with the initiative of WorkSafeBC (then called Workers' Compensation Board of BC), the BC Agriculture Council (then called the BC Federation of Agriculture) and the Canadian Farmworkers' Union.

FARSHA focuses on education and consultation rather than enforcement of Occupational Health and Safety Act regulations. It has no authority to enforce OHS Regulations. FARSHA works to ensure high standards of safety and health in the agricultural industry. They accomplish this by fostering compliance with Worker Compensation Board Regulations and supporting farm safety in British Columbia. The use of resources and training that FARSHA offers is voluntary.

3. FARSHA Programs and Activities

FARSHA offers many different types of consultation/assessment, educational, and training services all throughout BC. All of the services are centered on health and safety of agricultural workers, employers, and workplaces in BC. While there are educational activities that are aimed at children, there is a strong focus on workplace and worker training in agricultural settings. Promotion of safety through conferences and media campaigns is another aspect of FARSHA's operation.

i) Training

Training that is offered through FARSHA falls into two categories. In one way, FARSHA has its Regional Safety Consultants directly provide training, either for specific workplaces or multiple worksites all at once on many different subjects. The other way FARSHA offers training is through an approved third party, for courses such as First-Aid.

The training programs offered by FARSHA are based on the requirements of Occupational Health and Safety Regulations and on the requirements needed because of specific accident types and trends. Some types of courses offered include everything from proper machine operation (chainsaws, forklifts, tractors, ATV's, etc.), to physical well being (fall protection, hanta virus exposure and risks, repetitive strain, proper lifting, etc.) to workplace harassment, stress management, and health and safety responsibilities. A successful training program FARSHA developed from a farm safety course in Pennsylvania is the FARMEDIC course dealing with tractor roll-overs. This course has been used for training firefighters and paramedics so they have proper skills for dealing with tractor roll-overs.

For training that occurs through third parties, such as with First-Aid, it is co-ordinated through FARSHA and those who are participating in the training.

ii) Resources and education

FARSHA supplies numerous educational materials in all formats, from videos, booklets/brochures, decals, posters, presentations, and general reference materials. FARSHA offers its reference materials for loan to persons interested in the topics and wanting safety information. The information and reference materials are all current and are updated when new information is available.

The information and resources come from reliable and standardized organizations, such as WorkSafeBC, producers of farm machinery such as John Deere, Universities with research on safety and health, St Johns Ambulance, and many other libraries and organizations. Many statistics are taken from Federal and Provincial agencies such as the Canadian Agricultural Injury Surveillance Program, WorkSafeBC, and is supplemented by other sources.

FARSHA also develops its own resources. Where there are no sufficient resources to explain a certain area of safety, measures are taken by FARSHA to develop resources for that area, for example, in 2005, a horse-handling DVD was filmed and developed by FARSHA for education on proper safety and handling.

Many of the resources are available in languages other than English such as French, Spanish, and Punjabi. A publication called *The FARSHA Guardian* is published several times a year and is distributed to all members free of charge; it is also available on their website.

iii) Promotion

FARSHA attends trade-shows and conferences and promotes the safety needs of farms and workers to be properly informed about safety methods and techniques. Many times FARSHA exhibits will feature hands on safety displays, such as proper harness use while working in high areas or being suspended with actual equipment that can be used by those willing to participate. Supplying articles and media advertising about issues relating to farm safety are also part of FARSHA's responsibilities. FARSHA has high visibility in the media as many newspaper articles have been printed in which FARSHA was the main subject of an article or story.

iv) Consultation

Workplace consultations can be initiated by a FARSHA regional co-ordinator, by going to a farm or by farm employers or employees who contact the FARSHA office or through the website. Workplace consultations are entirely voluntary, even if the regional co-ordinator initiates contact. These consultations can range from informal talks, to site walkthroughs (hazard identification, setting up safety committees, etc.) to planned meetings for future training or other activities (Health and Safety plan coordination, delivering training, etc.)

FARSHA consultations occur with stakeholders in the agricultural industry, such as producers' organizations and commodity organizations in BC. Consultations are also undertaken with WorkSafeBC, Canadian Farmworkers Union, and any other stakeholder in agricultural health and safety. Topics of consultations have included everything from transportation of workers to labour contracts for agricultural workers.

FARSHA board members also attend conferences and annual general meetings at other organizations where they learn and offer their expertise. The Canadian Agricultural Safety Association and The Canadian Centre for Health and Safety in Agriculture are some examples of conferences attended by FARSHA members.

4. How FARSHA is Organized and Governed

Although some details of the following section would need to be adapted for an Albertan organization, the overall structure of employees, board members, directors, and consultants would provide a strong foundation for operating in all regions of Alberta.

FARSHA is governed by a board of directors consisting of three employer representatives from the BC Agriculture Council, three worker representatives from the Canadian Farmworkers Union, and one non-affiliated chairperson. Most all board members sit on other boards and have affiliations with other groups than those mentioned here.

Meetings are also attended by the FARSHA Executive Director and representatives from the Prevention Division of WorkSafeBC. These persons attend the meetings on a consultative basis and do not have voting abilities.

The FARSHA main office is located in Langley B.C. It contains support staff consisting of: a General Manager, a Senior Health and Safety Coordinator, an Office Administrator, and a Program Coordinator. These staff members support the regional directors and province wide consultants.

FARSHA divides B.C. into seven regions with a Regional Safety Consultant assigned to each area. These regional consultants do most of the work within the province. These duties include: providing booklets and information on health and safety topics related to agriculture; work with individual farmers anywhere in the province to set up workplace health and safety programs, training courses, and developing solutions to health and safety hazards; as well as speaking to farm commodity associations, agriculture-related media, and all other organizations related to health and safety of farm employers and workers.

There are two consultants with province-wide responsibilities. One province wide consultant is assigned to ranching safety, and is also a regional director at the same time, and another province wide consultant is for vineyards and orchards safety.

Persons or groups which contact FARSHA for training and such have responsibilities as well. They are responsible for the set-up and booking of places for training sessions. Payment of some fees for certain services is another responsibility of the interested person or organization.

5. FARSHA as a Financial Model for a Farm Safety Organization

Because of the similar scope that an Albertan farm safety organization would have, this is an overview of the revenues and expenditures of FARSHA. As a model for an Alberta organization, we expect the same distribution of expenses because of the similar emphasis the organization would have on programs, as well as maintaining operational costs and other fees.

The following information is based on an audit of FARSHA's' financial information. Unless otherwise stated, the information is based on information from the year 2007. This being a single year of its 12 year operation, there are other potential

j) Revenue

Revenues totalled \$841,023 in the year 2007.

FARSHA is funded mainly by a levy on the assessments paid to WorkSafeBC by registered farm employers in British Columbia. 87% of FARSHA's' funding is generated from WorkSafeBC.

Revenue was generated from hosting conferences as well. The National Institute for Farm Safety (NIFS) conference generated revenue amounting to 10.4% of revenue for the year 2007.

FARSHA receives grants for special projects from WorkSafeBC. In 2007 no grants were issued, but in the year 2006 FARSHA received 2.8% of its revenue from this.

There are also grants from the Canadian Agricultural Safety Association (CASA) which have funded

other projects. This amounted to 2.4% of revenue.

Interest and miscellaneous income amounted to 1.1% of revenue for FARSHA.

ii) Expenditures

Expenditures totalled \$818,064 for the year 2007. The expenditures are represented on the following table as a percent of the total amount of expenditures for 2007, unless stated otherwise on the graph:

Expenditure	Percent Amount of Total Expenditures	Expenditure	Percent Amount of Total Expenditures
Advertising and Promotion	2.40%	Projects	45.80%
Amortization	0.70%	Regulation Review	0.50% (2006)
Insurance	1.00%	Rental and Property Tax	5.50%
Meetings and per diems	2.60%	Training	0.10%
Conference Expenditures	10.60%	Travel and Automotive	1.60%
Office Expenses	3.90%	Utilities	1.00%
Professional Fees	1.80%	Wages and Benefits	22.50%

The annual budget is approved by WorkSafeBC. One half of annual funding is allowed to be retained by FARSHA. The Board of Directors internally regulates these funds to be used as a contingency fund.

An Albertan organization would also have a similar financial model because of its status as a non-profit organization to income tax regulations, federal law, etc.

6. Current Safety Programs in Alberta

Currently in Alberta, there is no distinct province-wide organization for the promotion and education of farm safety that can operate and disburse information and training in a manner similar to FARSHA. Safety measures are taken by farms and businesses to ensure employee safety, but programs that are available mostly address farm safety for children and are strictly educational in nature.

Currently, the government of Alberta has a Farm WorkSafe Website, and three employees for agricultural safety in Alberta. There is also an Alberta Farm Safety Centre which is a non-profit organization based in Lethbridge Alberta that promotes farm safety in Alberta. It is mostly funded through donations by corporations, agricultural societies, individuals, and through provincial and federal grants. Some other farm safety programs include the UFA promotion of farm safety through its stores and children’s programs which 4-H has through its clubs.

A problem arises when there is no province-wide organization to reach all aspects of farming and agriculture to share and address common problems and safety issues. One such problem is how programs that do exist are focussed in certain areas and regions. Where one program may be available in one region, in another region the same program is not available. The creation of a provincial organization would address this concern and allow for standardized training of workers and create strong safety standards throughout Alberta.

7. Occupational Health and Safety Regulations in Canada and Alberta

As mentioned previously, farmers are currently exempt from the Occupational Health and Safety Act due to the Farm and Ranch Exemption Regulation, Alberta Regulation 271-1995. Judge Barley's recommendation for legislative changes to the OHS Act to address paid employees, non-farm workers and family members who are currently not covered by the OHS Act would mean that farmers must comply with all OHS Regulations.

One difficulty with such a change is defining what a work place is and what a home is. Areas of the farm that are not for production but for the recreation of the family would need to be specifically defined so that any changes that would need to be taken in one area would not need to be taken in another.

Another area of concern would be the definition of an owner and an employee, which is sometimes difficult to define on family farms. According to the Act, if one or more people are employed by an owner, then the owner is an employer. The question of who would be the employer and who would be employees if family members are doing daily operations on the farm would need to be addressed. For farms that are run by single operators, they would be considered employers by the OHS Regulations, and would have to comply with the OHS Act. The OHS Regulations have specific regulations for working alone and while isolated. These regulations may not always be able to be followed by an individual farmer.

The cost of non-compliance with the act can include the shut down of equipment and/or facilities, and can be as severe as fines, or imprisonment for further non-compliance. These penalties are increased if further non-compliance occurs. It is suffice to say that many small farmers cannot afford those penalties, whether it is a monetary fine or the shut down of equipment and facilities. The mandatory shut down of any piece of equipment or facility could be just as detrimental to a small farmer as a large monetary fine.

Changes in legislation to the OHS Act would mean legal duties and potential legal liabilities to farmers who are involved with potentially anything listed below. For the most part, nearly every farm will have the majority of these things on their farms whether the primary function of the farm is for livestock, grains or both. Some areas that would need to be addressed, and possibly upgraded or modified to comply with OHS Regulations include:

- *Machinery*: transportation of workers/family, farm equipment on public roads, operating machinery around power lines, power take off implements, roll-overs, loaders.
- *Noise*: continued or prolonged exposure to high decibels.
- *Confined spaces/Water Storage*: pits, grain bins, dugouts.
- *Chemical and Biological Hazards*: pesticides, chemical fertilizers, etc.
- *Working at heights*: on grain bins, high lofts in barns, etc.
- *Working with animals*: aggravated/irritable animals, proper animal handling
- *Proper body movement for certain tasks*: lifting, turning, posture
- *Extreme weather conditions and terrain*
- *Working alone or while isolated*

Currently, there are five Provinces where agribusiness employees must comply with OHS Regulation. These include:
PEI (as of 2007)
BC (as of January 2005)
Ontario as of June 2006 is under OHS regulation, but for farms with paid workers only
Saskatchewan
Manitoba

Quebec, Newfoundland and Labrador, New Brunswick, and Nova Scotia all have OHS Acts that do not mention agriculture specifically, but the interpretation of 'workplace' in legislative wording can include farms and farm operations.

Some of these provinces have farm safety programs through OHS and a province specific WorkSafe program that will work with farmers to ensure compliance. In some cases, the creation of safety councils is called for in the wording of the legislation.

8. Summary

The average Albertan farmer has many concerns with their safety and the safety of their family and their workers. Steps are taken by all farmers to be safe on their farms because they know it will ultimately be them who are going to pay the price if they are unsafe. By legislating compliance with such regulations it leaves farmers open to unfair legal liabilities for a lifestyle that takes first-hand knowledge of how to be safe. Concerns about penalties for careless and dangerous behaviour are understandable if the situation merits such description, but the majority of farmers operate safely and effectively.

Whether or not a decision is made to pass such legislative changes, it is more than necessary for an organization to be created which takes the advancement of farm safety to a provincial, standardized level and can spread safety concerns and knowledge to farmers in Alberta. FARSHA has the potential to be a model for this organization and for it to be an effective organization in the enhancement of farmer's safety and abilities.