



# Culture of Care

Adding Behaviors into Safety

20th Alberta Health &  
Safety Conference

*Workplace Futures in a Changing World*

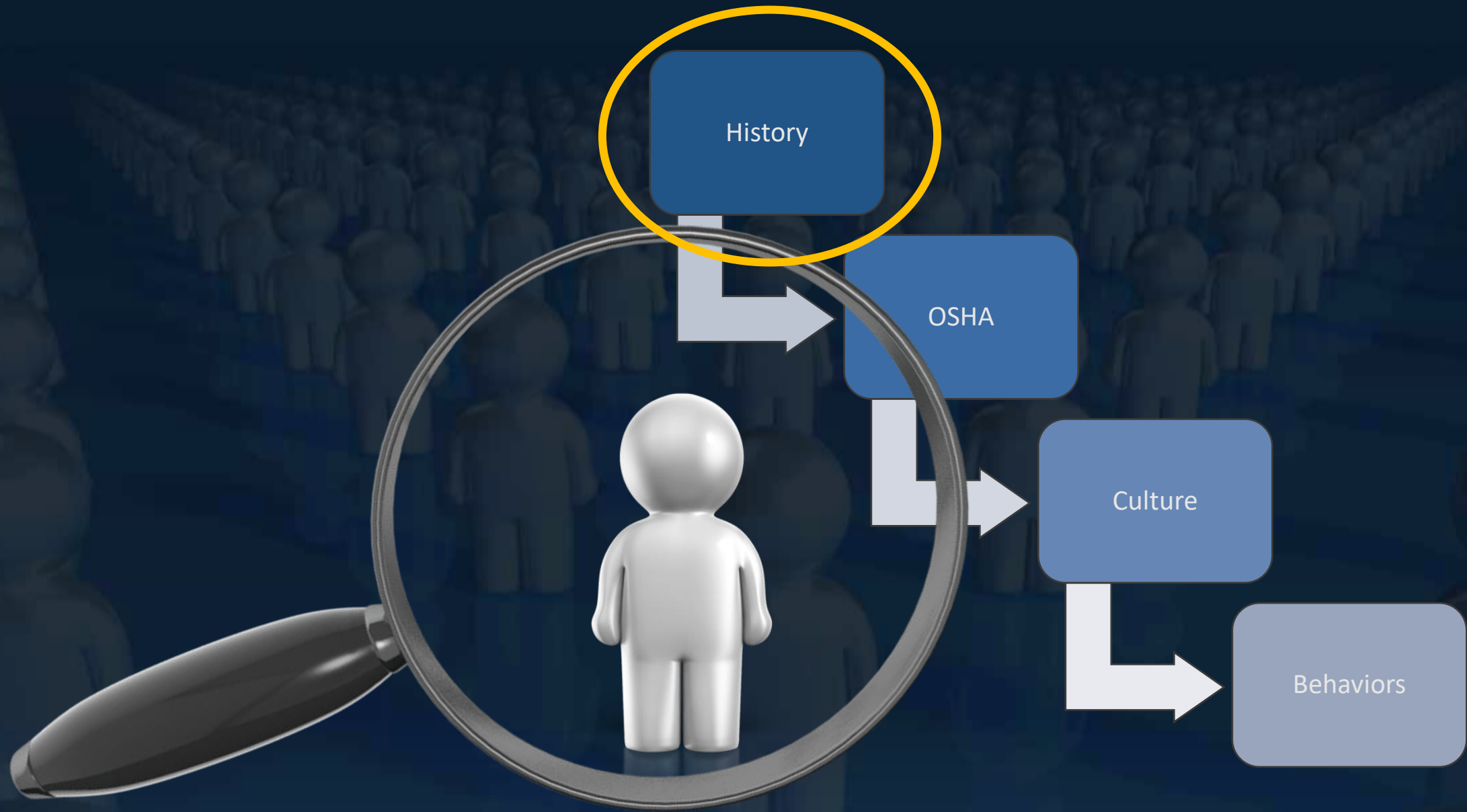


[www.hsconference.ca](http://www.hsconference.ca)

# Spencer's Story



# Culture of Care



# History Where did Safety Start?

Government?



# History Where did Safety Start?

Business?



218 - 237



# History Where did Safety Start?

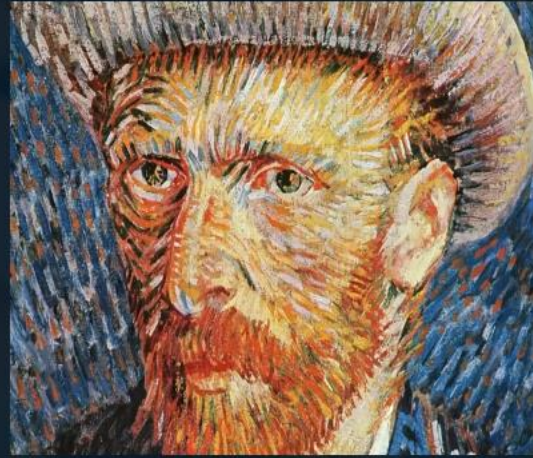
Workers?



Caravaggio 1610



Goya 1828



Van Gogh 1890

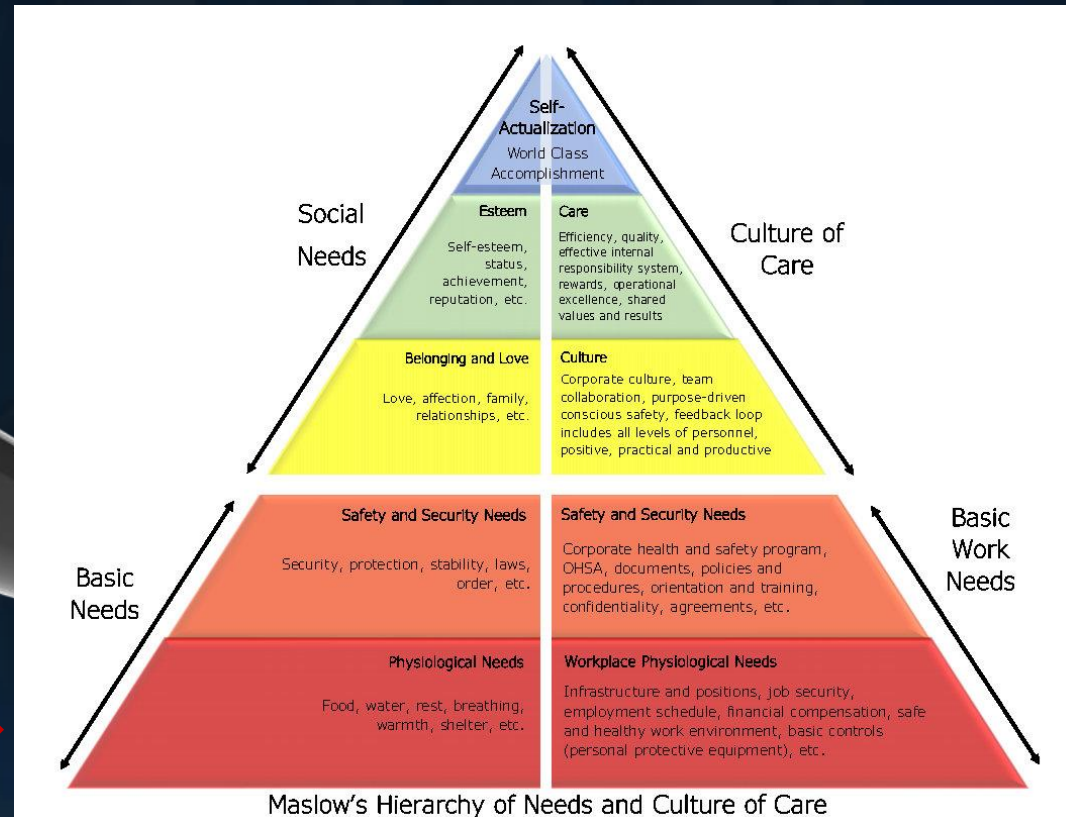


Portinari 1962

# Safety Behavior

## Learning Objective #1

Employees will do any task directed to do, regardless of risk, if they feel their ability to provide for their family is being compromised.



# DEATH CALENDAR IN INDUSTRY FOR ALLEGHENY COUNTY

**1906 JULY 1906**

SUN	MON	TUES	WED	THUR	FRI	SAT
X 7	2	3	X 4	X 5	6	X 7
8	X 9	X 10	X 11	X 12	X 13	X 14
15	16	17	18	19	20	21
X 22	X 23	X 24	X 25	X 26	X 27	X 28
X 29	X 30					
35						

**1906 AUGUST 1906**

SUN	MON	TUES	WED	THUR	FRI	SAT
			1	2	3	X 4
X 5	6	7	X 8	X 9	10	11
X 12	X 13	X 14	X 15	X 16	X 17	X 18
X 19	20	X 21	X 22	X 23	X 24	X 25
X 26	X 27	X 28	X 29	X 30	X 31	
45						

**1906 SEPTEMBER 1906**

SUN	MON	TUES	WED	THUR	FRI	SAT
						X 1
2	3	4	5	6	7	8
X 9	X 10	X 11	X 12	X 13	X 14	X 15
X 16	X 17	X 18	X 19	X 20	X 21	X 22
X 23	X 24	X 25	X 26	X 27	X 28	X 29
30						

**1906 OCTOBER 1906**

SUN	MON	TUES	WED	THUR	FRI	SAT
	X 1	X 2	X 3	X 4	X 5	X 6
X 7	X 8	X 9	X 10	X 11	X 12	X 13
X 14	X 15	X 16	X 17	X 18	X 19	X 20
X 21	X 22	X 23	X 24	X 25	X 26	X 27
X 28	X 29	X 30	X 31			
35						

**1906 NOVEMBER 1906**

SUN	MON	TUES	WED	THUR	FRI	SAT
				X 1	X 2	X 3
X 4	X 5	X 6	X 7	X 8	X 9	X 10
X 11	X 12	X 13	X 14	X 15	X 16	X 17
X 18	X 19	X 20	X 21	X 22	X 23	X 24
X 25	X 26	X 27	X 28	X 29	X 30	
34						

**1906 DECEMBER 1906**

SUN	MON	TUES	WED	THUR	FRI	SAT
						X 1
X 2	X 3	X 4	X 5	X 6	X 7	X 8
X 9	X 10	X 11	X 12	X 13	X 14	X 15
X 16	X 17	X 18	X 19	X 20	X 21	X 22
X 23	X 24	X 25	X 26	X 27	X 28	X 29
X 30	X 31					
31						

**1907 JANUARY 1907**

SUN	MON	TUES	WED	THUR	FRI	SAT
		X 1	X 2	X 3	X 4	X 5
X 6	X 7	X 8	X 9	X 10	X 11	X 12
X 13	X 14	X 15	X 16	X 17	X 18	X 19
X 20	X 21	X 22	X 23	X 24	X 25	X 26
X 27	X 28	X 29	X 30	X 31		
31						

**1907 FEBRUARY 1907**

SUN	MON	TUES	WED	THUR	FRI	SAT
					X 1	X 2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		
28						

**1907 MARCH 1907**

SUN	MON	TUES	WED	THUR	FRI	SAT
					X 1	X 2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

**1907 APRIL 1907**

SUN	MON	TUES	WED	THUR	FRI	SAT
	X 1	X 2	X 3	X 4	X 5	X 6
X 7	X 8	X 9	X 10	X 11	X 12	X 13
X 14	X 15	X 16	X 17	X 18	X 19	X 20
X 21	X 22	X 23	X 24	X 25	X 26	X 27
X 28	X 29	X 30				
30						

**1907 MAY 1907**

SUN	MON	TUES	WED	THUR	FRI	SAT
		X 1	X 2	X 3	X 4	
X 5	X 6	X 7	X 8	X 9	X 10	X 11
X 12	X 13	X 14	X 15	X 16	X 17	X 18
X 19	X 20	X 21	X 22	X 23	X 24	X 25
X 26	X 27	X 28	X 29	X 30	X 31	
31						

**1907 JUNE 1907**

SUN	MON	TUES	WED	THUR	FRI	SAT
						X 1
X 2	X 3	X 4	X 5	X 6	X 7	X 8
X 9	X 10	X 11	X 12	X 13	X 14	X 15
X 16	X 17	X 18	X 19	X 20	X 21	X 22
X 23	X 24	X 25	X 26	X 27	X 28	X 29
X 30	X 31					
31						

Each red cross stands for a man killed at work, or for one who died as a direct result of an injury received in the course of his work.





## FIRST WORKERS' COMPENSATION LAW

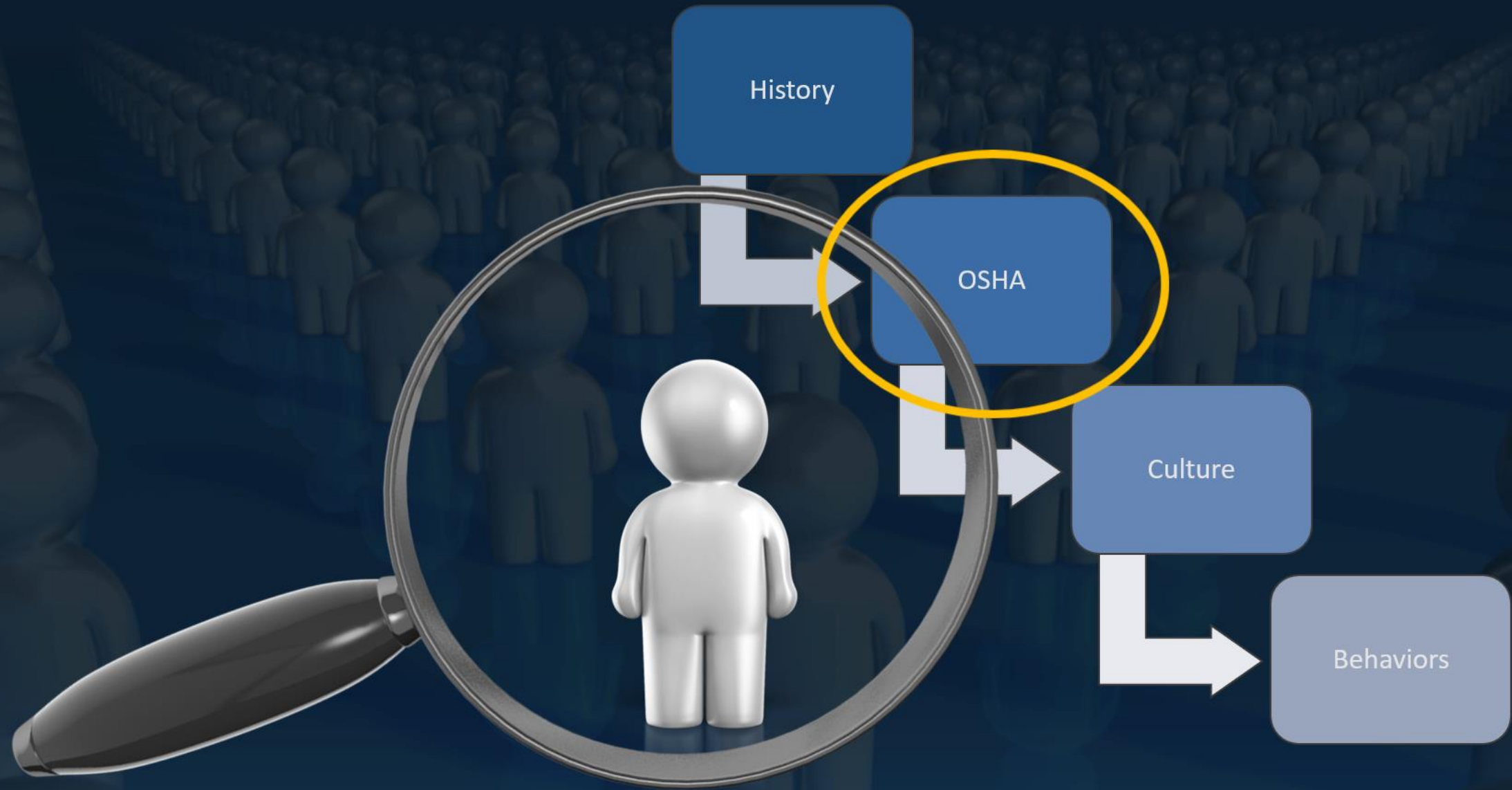
The Wisconsin Workmen's Compensation Act of 1911 assured victims of work-related accidents or illnesses just compensation regardless of fault. With this law, enacted on May 3, 1911, Wisconsin became the first state to have a constitutional system for providing medical expenses, wage loss payments, or death benefits to employees or their families. The law is regarded as a pioneering act of social legislation and a major accomplishment of Wisconsin's progressive movement.

On September 1, 1911, the date the law became fully effective, a mutual insurance company began operations in a one-room office in downtown Wausau. The company, which was formed by a group of central Wisconsin businessmen as a means of meeting their responsibilities under the new law, is today known throughout the world as Wausau Insurance Companies.

The purchaser of the first policy issued by the fledgling insurer was the Mosinee Paper Corporation, then known as Wausau Sulphate Fibre Company. That contract is recognized as the nation's first valid workers' compensation policy.

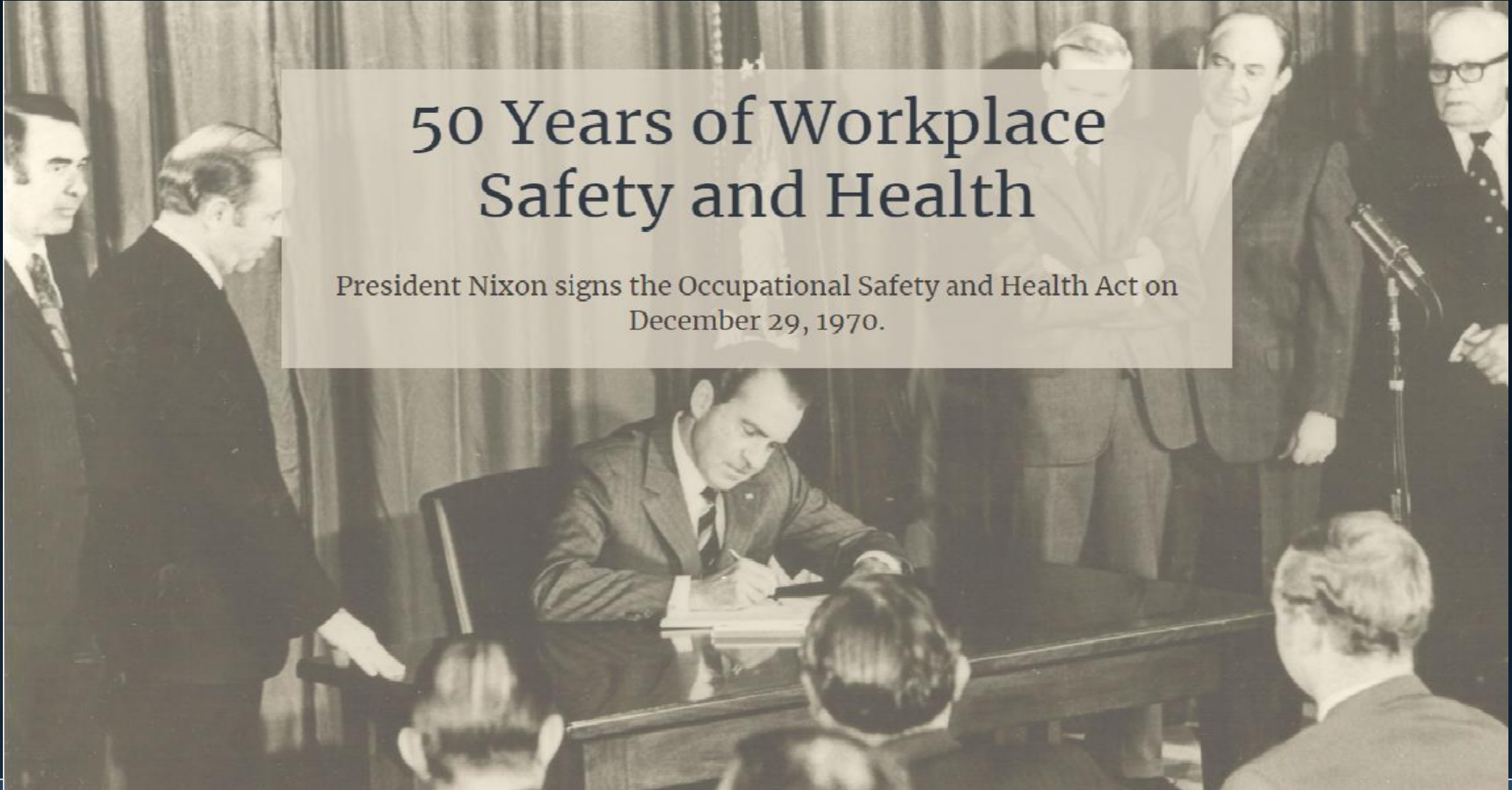
Erected 1965

# Culture of Care



# 50 Years of Workplace Safety and Health

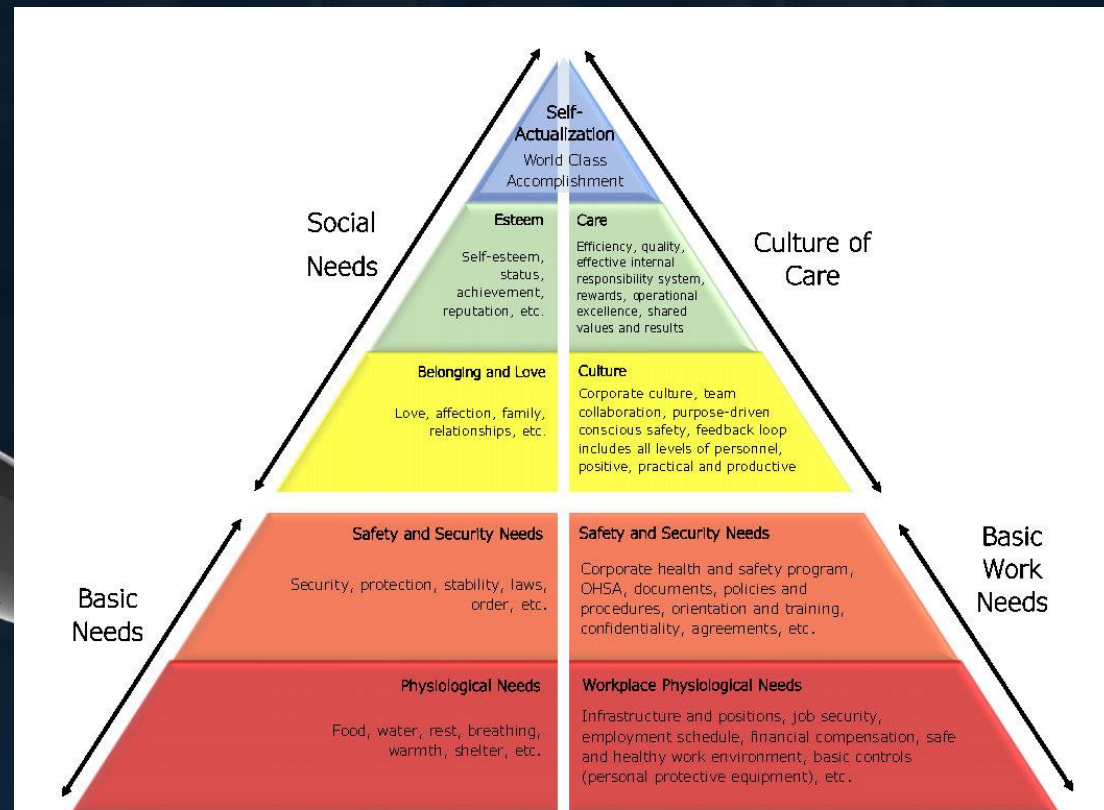
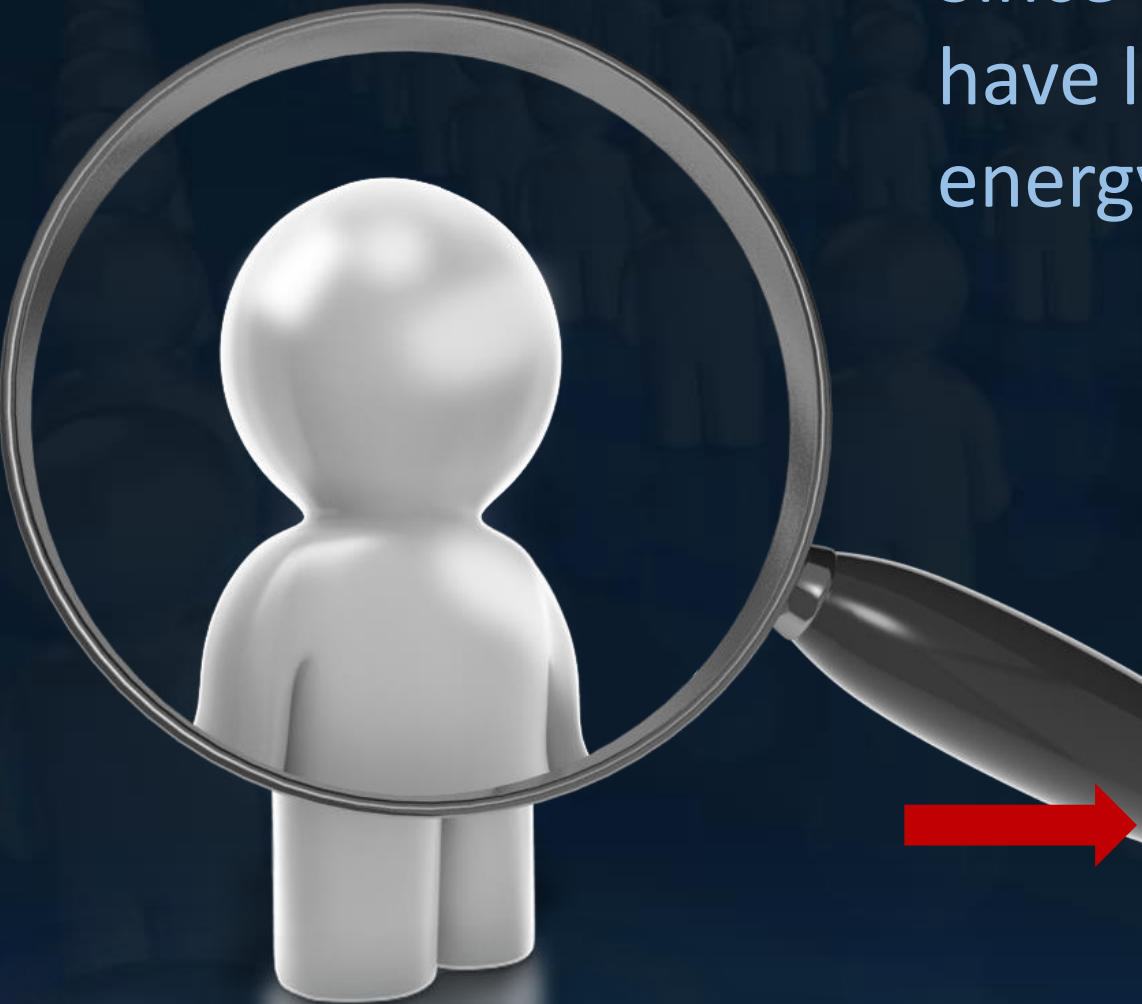
President Nixon signs the Occupational Safety and Health Act on  
December 29, 1970.



# OSHA Standards

## Learning Objective #1

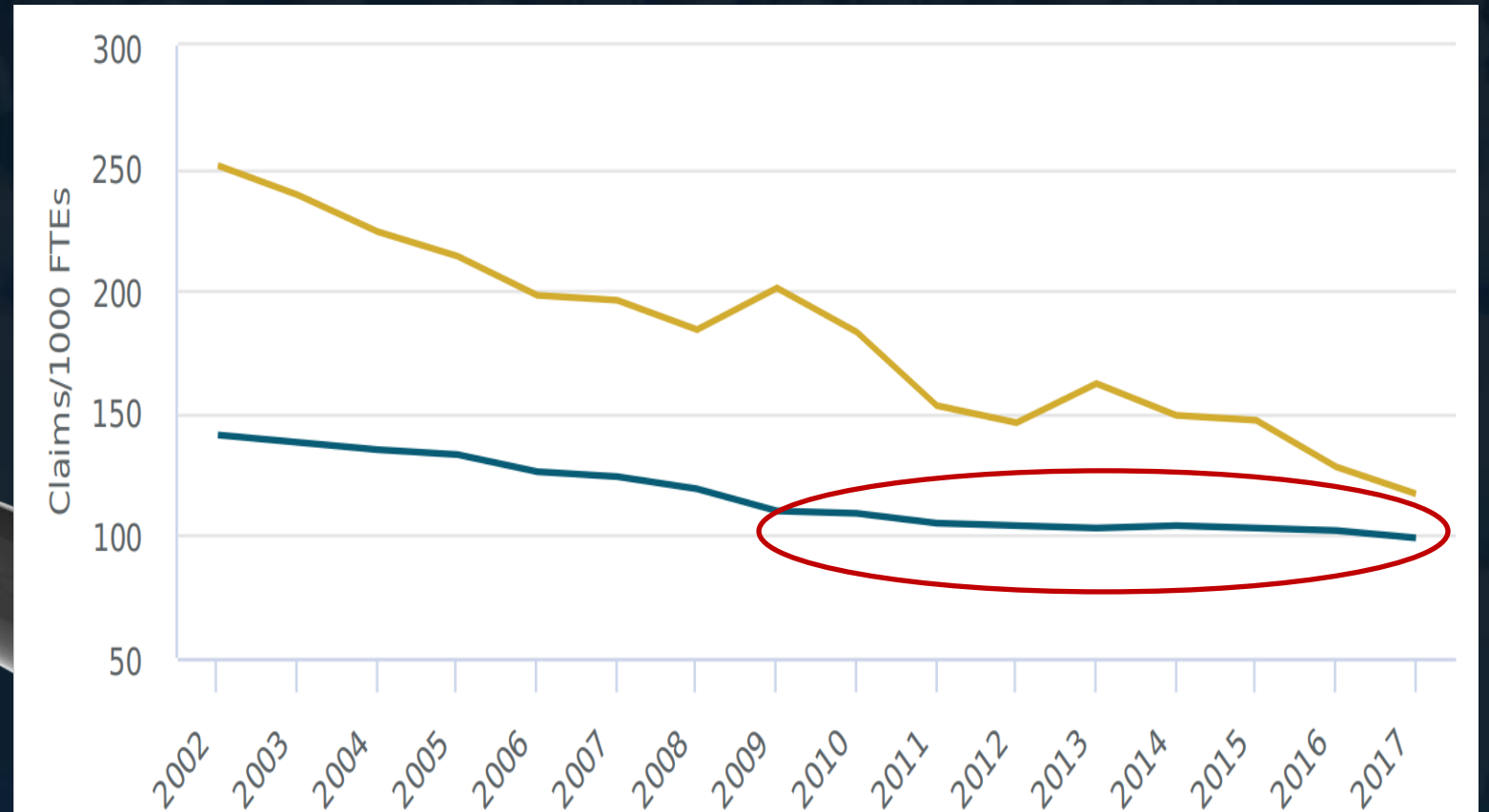
Since the inception of OSHA the standards have largely been focused on controlling energy.



Maslow's Hierarchy of Needs and Culture of Care

# OSHA Standards

## Claims rate



— Employee claims per 1,000 FTE's  
— Self-employed claims per 1,000 FTE's

# **OSHA Standards**

## **Learning Objective #2**

Controlling energy has had great results!

But controlling energy has limitations on injury reduction!



# 1992 Westray Mine Disaster



# Bill C-45



## Criminal liability for workplace deaths and injuries Background on the Westray Law

### What was the Westray mining disaster?

On May 9, 1992, 26 miners lost their lives in the Westray Mine located in Pictou County, Nova Scotia, when a buildup of methane gas and coal dust ignited and caused an explosion. Prior to the explosion, several safety concerns had been raised by employees, union officials and government inspectors. This incident resulted in changes to legislation regarding how to establish the criminal liability of corporations for workplace deaths and injuries.

### What is the Westray Law or former Bill C-45?

Commonly referred to as the Westray Law, former Bill C-45, *An Act to amend the Criminal Code (criminal liability of organizations)*, came into force on March 31, 2004. It modernized the criminal law's approach for establishing the criminal liability of corporations for workplace deaths and injuries. Specifically, it:

- established rules for attributing criminal liability to organizations, including corporations, for the acts of their representatives
- established a legal duty for all persons directing the work of others to take reasonable steps to ensure the safety of workers and the public
- set out factors that a court must consider when sentencing an organization
- provided conditions of probation that a court may impose on an organization

### What are the rules for attributing liability to an organization?

Sections 22.1 and 22.2 of the *Criminal Code* provide the rules that govern how an organization can be held criminally responsible as a party to an offence for the negligence of a representative of the organization or a fault-based offence (e.g., fraud) committed by a senior officer of the organization. Given that organizations act through people, these rules establish how the actions and intentions of certain classes of people can be attributed to the organization to which they belong, in order for the organization itself to be held responsible for the crime.

Section 22.1 provides the rules that govern how an organization can be held criminally responsible as a party to an offence where the offence charged is one that requires proof of negligence (e.g., criminal negligence causing death (section 220) or bodily harm (section 221)). An organization can be held criminally liable for this type of offence, where:

1. a representative or representatives of the organization acting within the scope of their authority were a party to the offence; and,
2. a senior officer responsible for the aspect of the organization's activities relevant to the offence, departed markedly from the standard of care that could reasonably be expected to prevent the representative from being a party to the offence.

Section 22.2 provides the rules that govern how an organization can be held criminally responsible as a party to an offence where the offence charged is one that requires proof of fault other than negligence (e.g., fraud, theft and bribery). An organization can be held criminally



# Criminal Code **271.1**



## Section 217.1 Criminal Code

**217.1** Every one who undertakes, or has the authority, to direct how another person does work or performs a task is under a legal duty to take reasonable steps to prevent bodily harm to that person, or any other person, arising from that work or task."

(Section 217.1 in the Criminal Code):

Created rules for establishing criminal liability to organizations for the acts of their representatives.

Establishes a legal duty for all persons "directing the work of others" to take reasonable steps to ensure the safety of workers and the public.

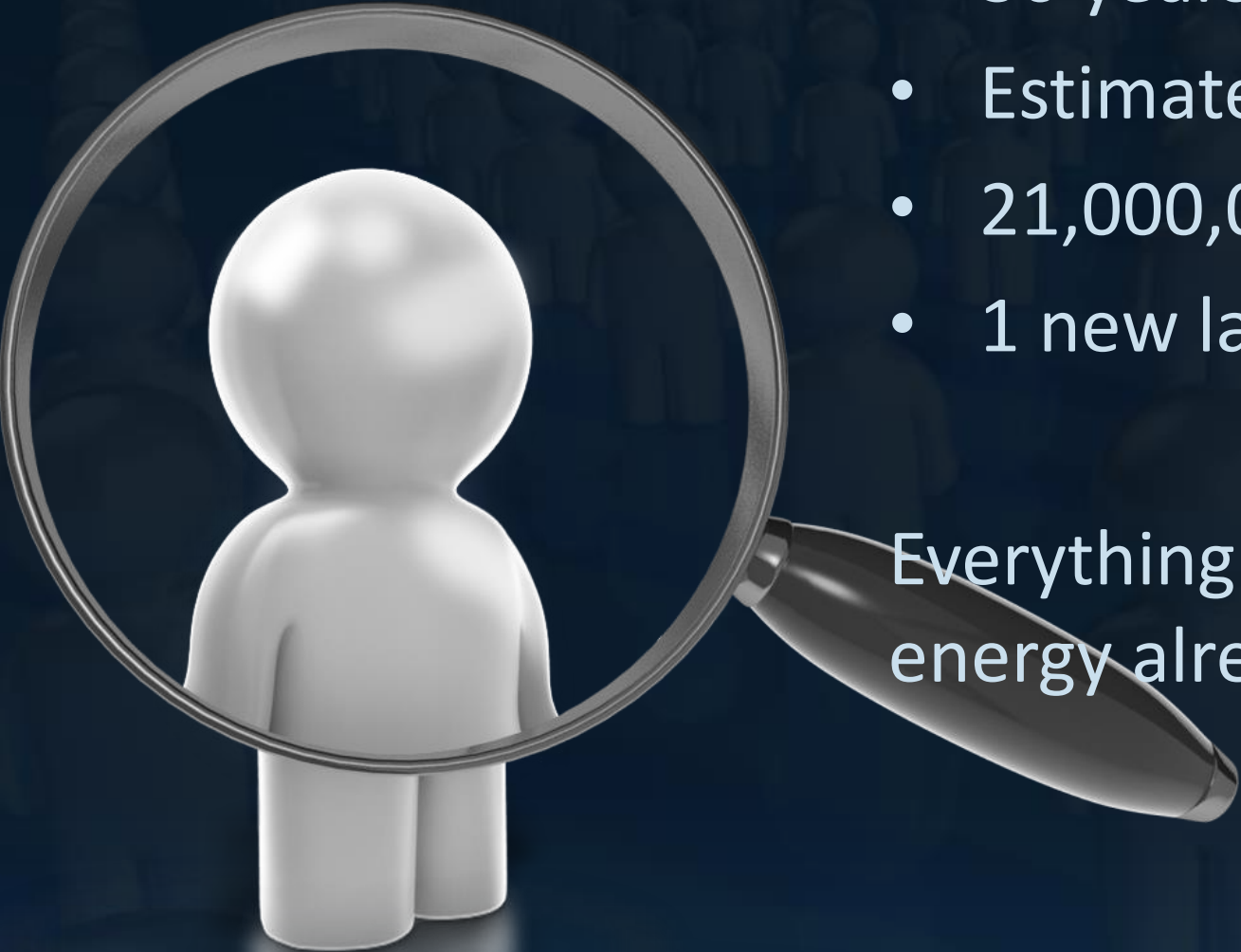
Sets out the factors that courts must consider when sentencing an organization.

Provides optional conditions of probation that a court may impose on an organization.

# Controlling Energy

- 30 years since the Westray Mine Disaster
- Estimated 700,000 reported incidents/year
- 21,000,000 incidents to draw from
- 1 new law!

Everything we need to know about controlling energy already exists



# **Safety Behavior**

## **Learning Objective #3**

With the creation of OSHA production changed!



# Pre-OSHA Production

“Get It Done”



# Post-OSHA Safe Production

“Get It Done Safely”



# Post-OSHA Proper Production

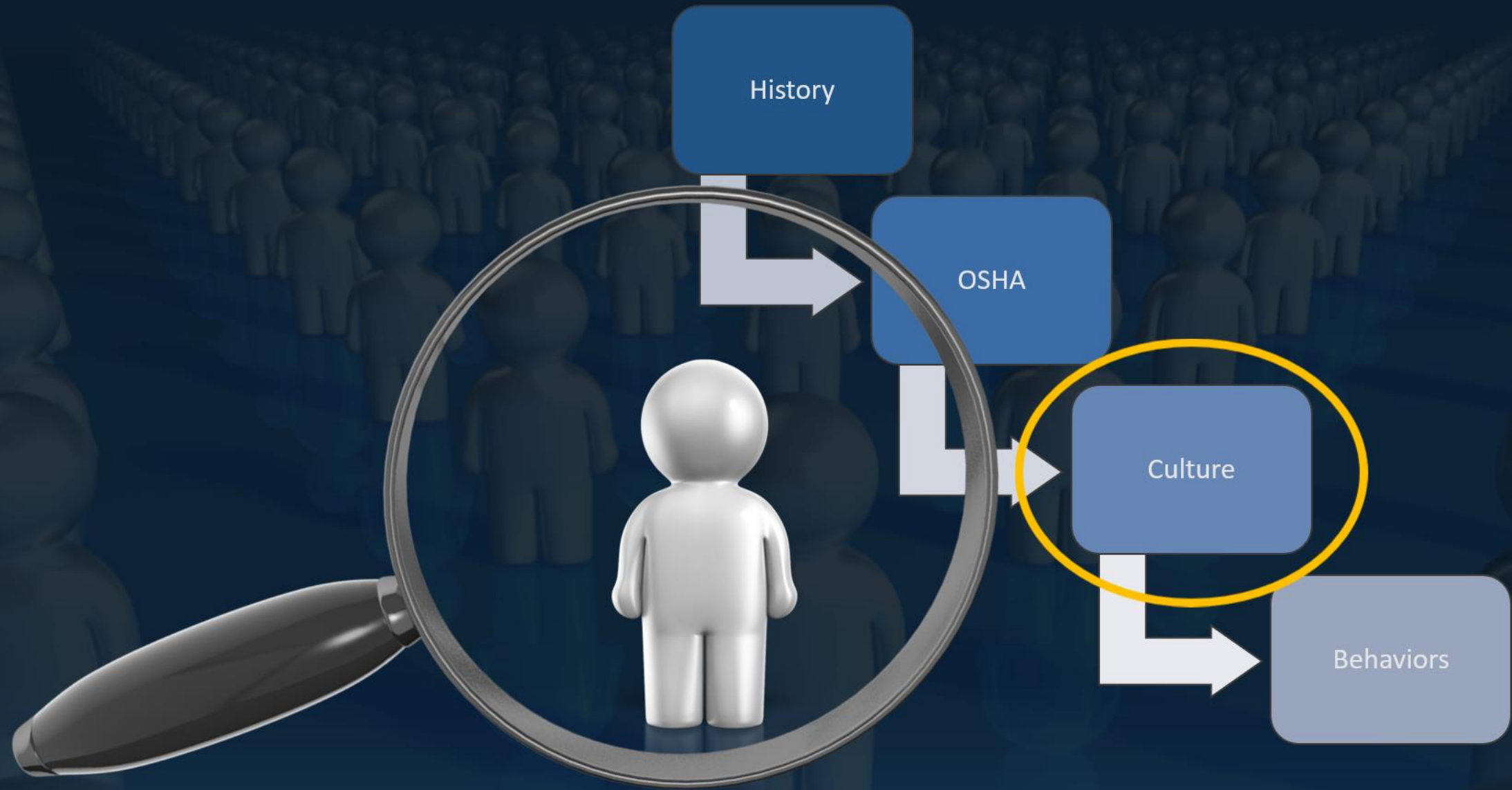
## “Get It Done Safely”



A 3D perspective view of a grid of white cubes. The grid is composed of several cubes arranged in a larger rectangular shape. One cube in the center is highlighted in a vibrant blue color. The word "Safety" is written in a bold, dark blue, sans-serif font on the front face of this blue cube. The background is a plain, light gray gradient.

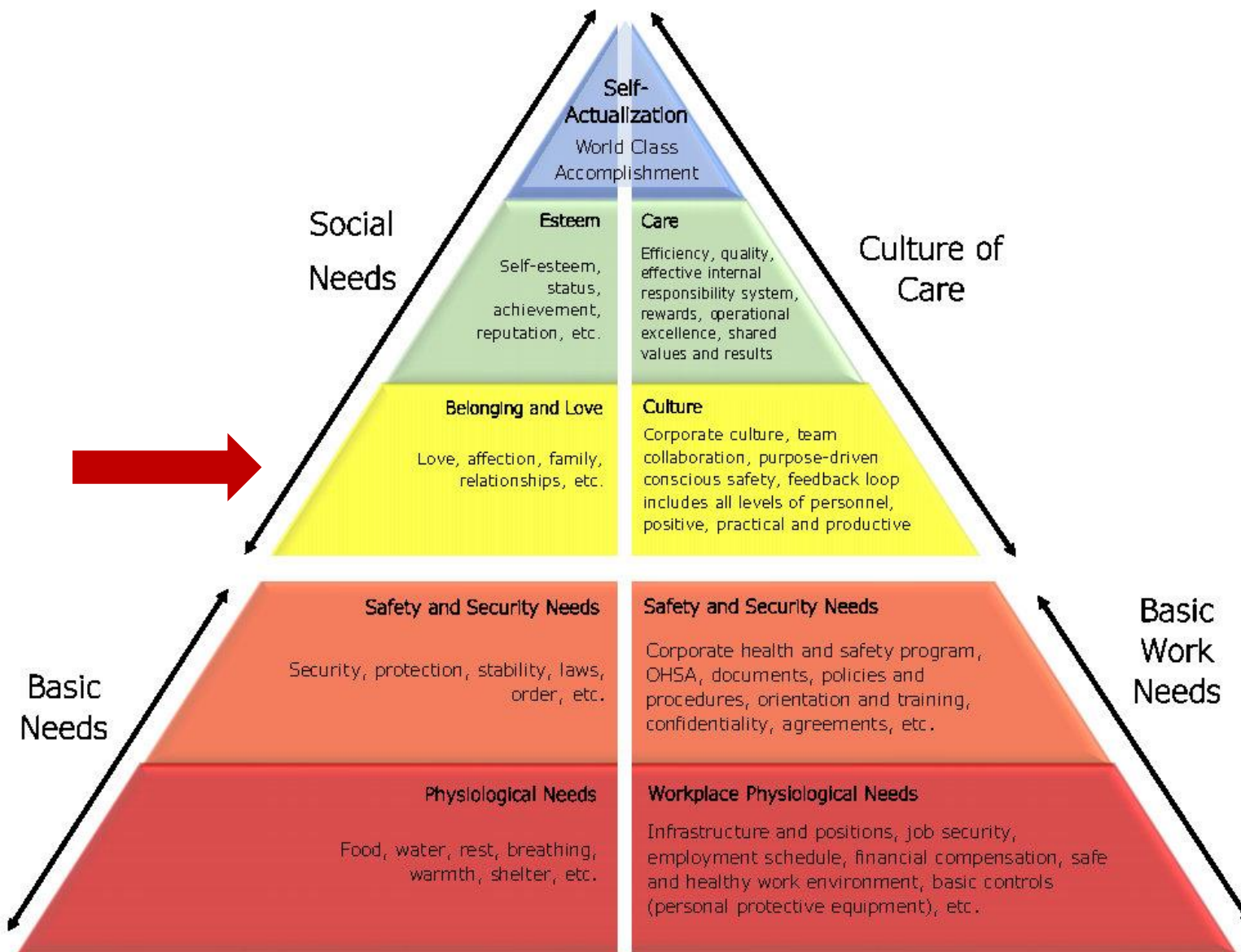
**Safety**

# Culture of Care





# Culture



Maslow's Hierarchy of Needs and Culture of Care

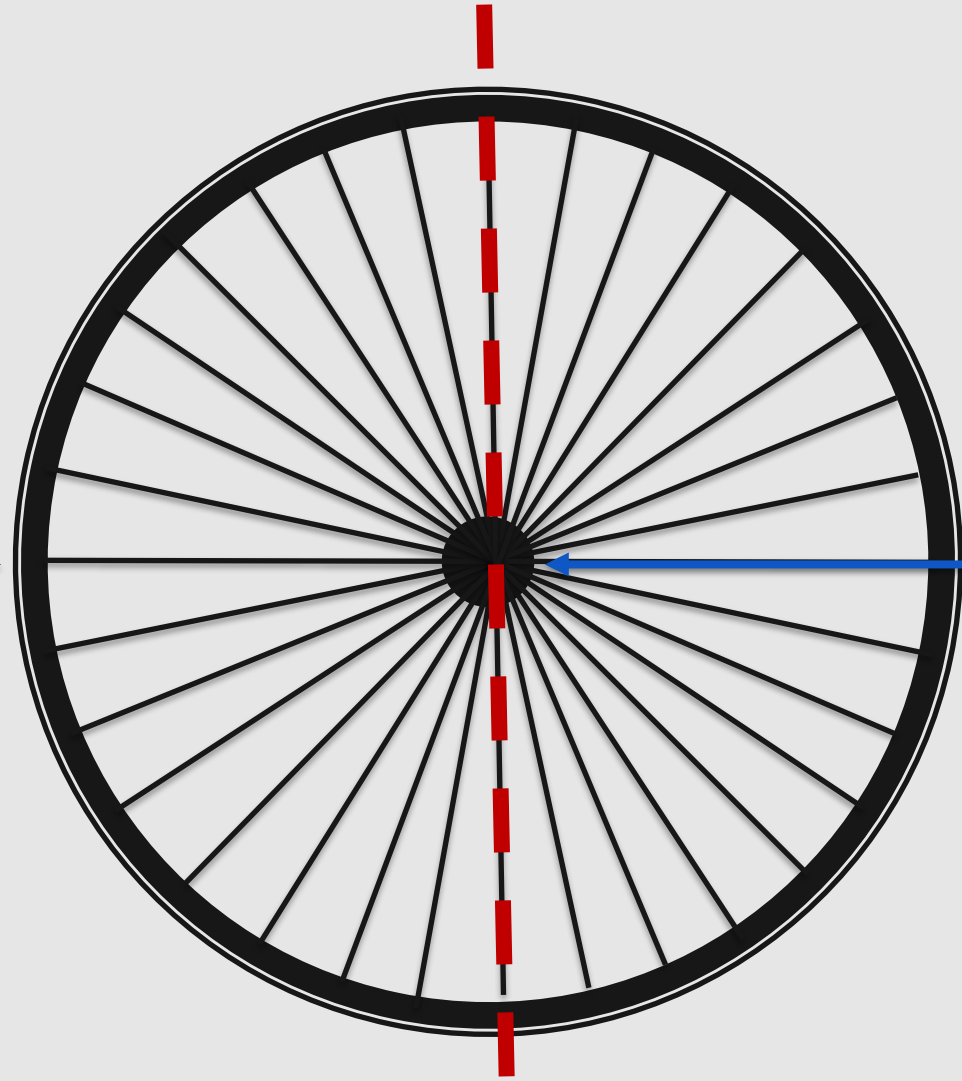
# Culture's Role

Company

Employee

Organization →

← Culture

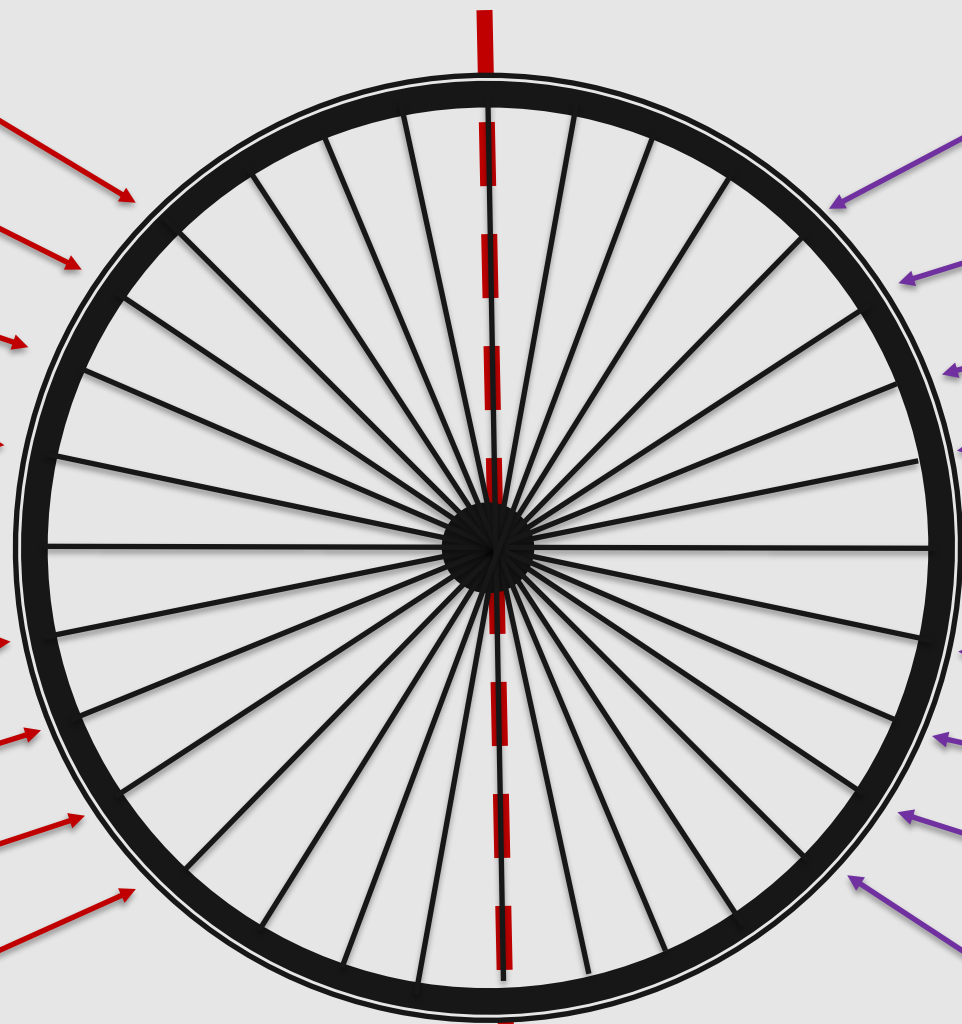


# Culture's Purpose

## Company

## Employee

- Hiring Practices
- Compensation
- Orientations
- Staffing
- Policies
- Deadlines
- Procedures
- Processes
- Supply Chain

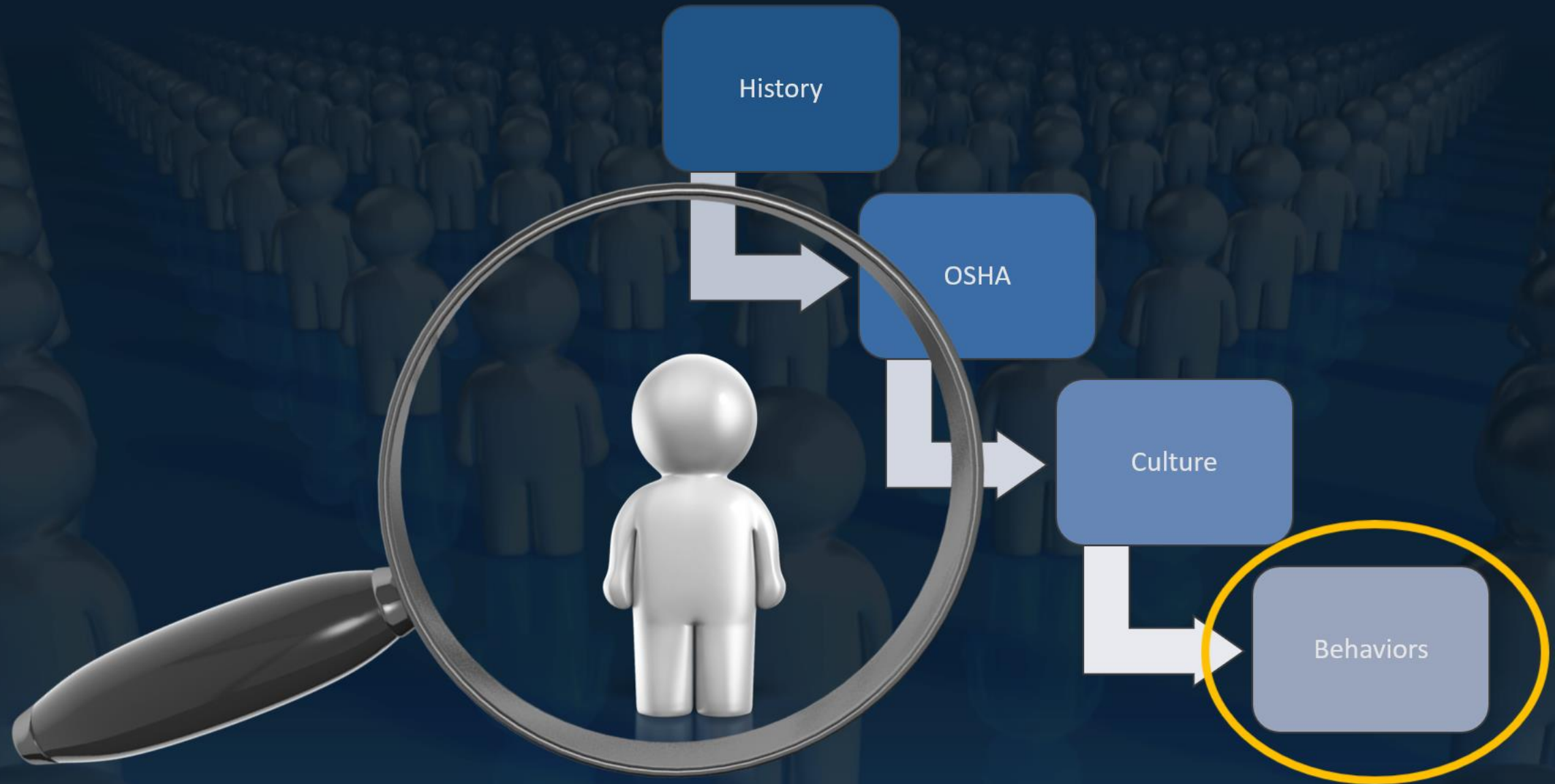


- Quality Material
- Inclusive
- Functional
- Realistic
- Engaging
- Adequate
- Meaningful
- Competitive
- Competent People

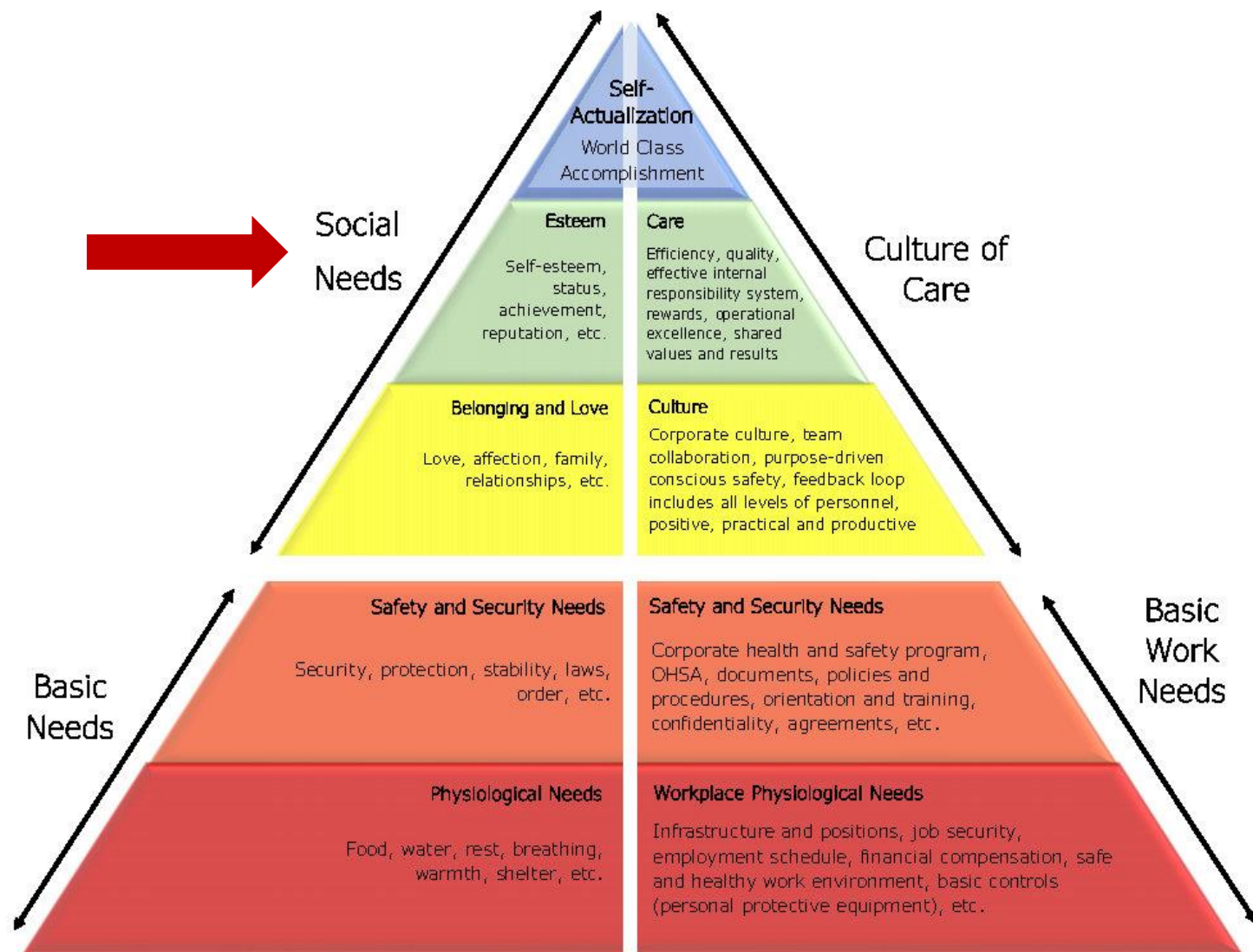
# Employee's Culture



# Culture of Care



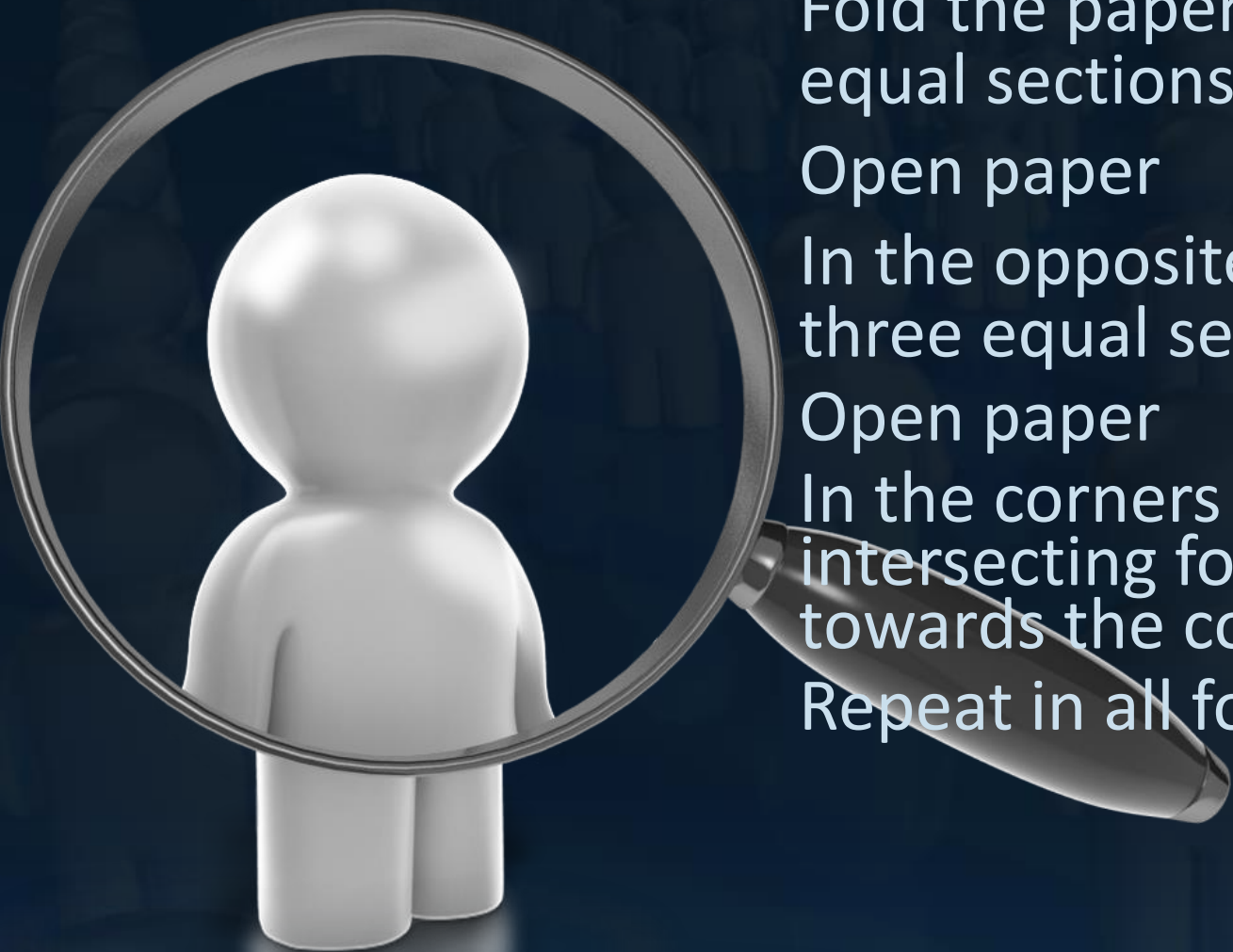
# Behaviors



Maslow's Hierarchy of Needs and Culture of Care

# Behaviors





Fold the paper in either direction to make three equal sections on the paper

Open paper

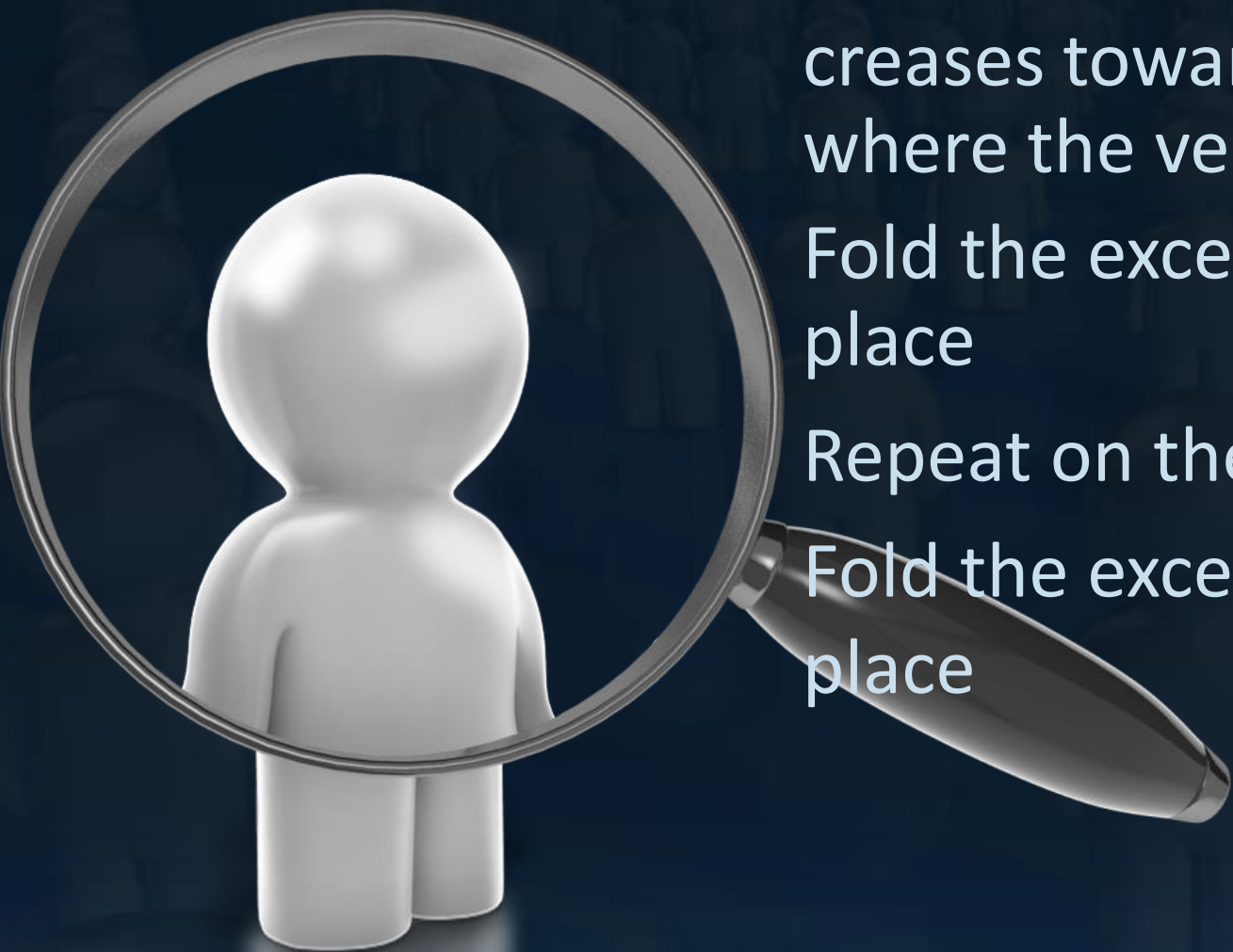
In the opposite direction fold the paper again into three equal sections

Open paper

In the corners of the paper crease the paper at the intersecting folds previously made diagonally up towards the corner of the paper.

Repeat in all four corners





Fold on one side of the paper the diagonal creases towards the center of the paper to where the vertical and horizontal creases meet

Fold the excess paper over to secure the fold in place

Repeat on the other end of the paper

Fold the excess paper over to secure the fold in place

# WHO HAS A BOX?

1 piece of paper

10 instructions in clear and understandable English

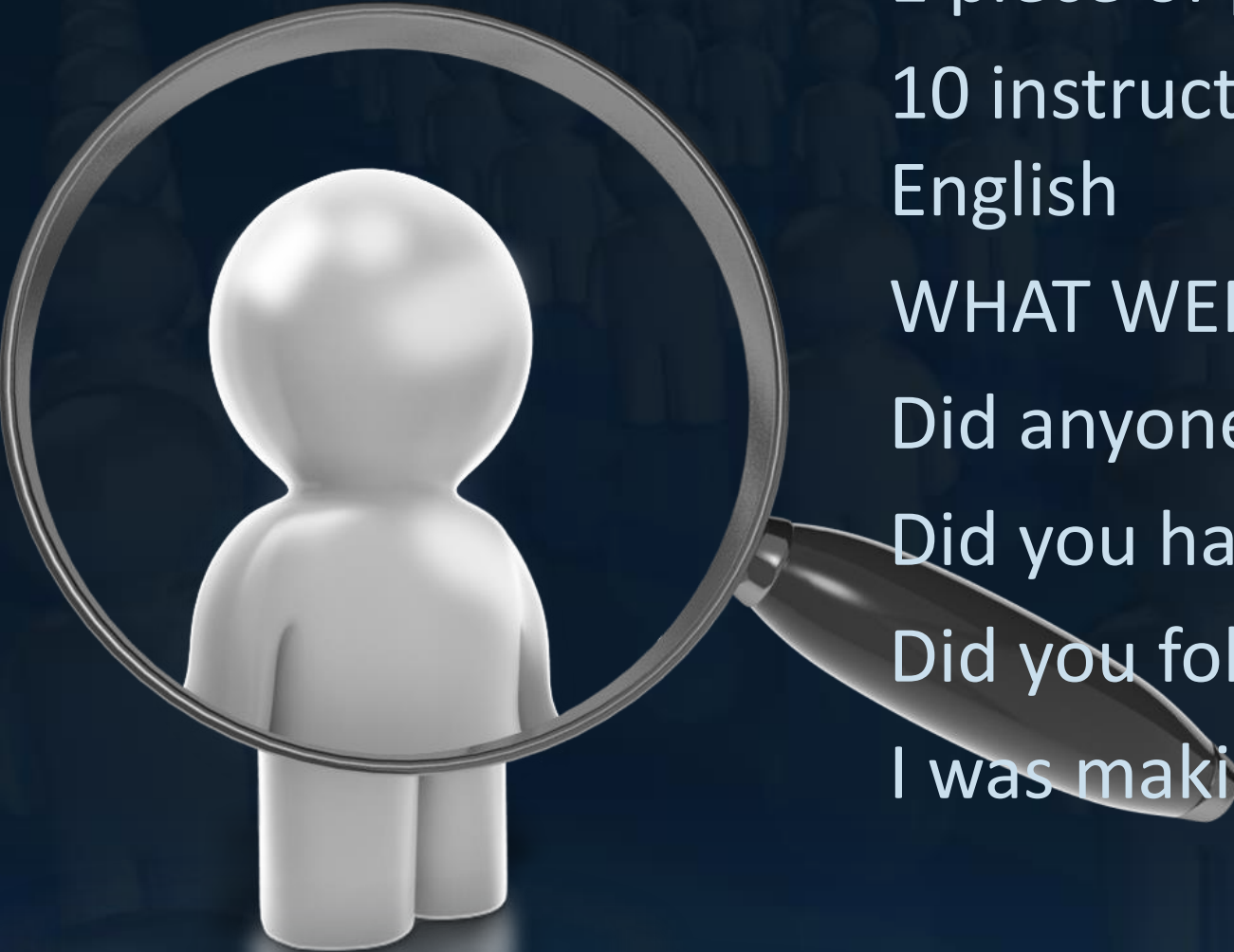
WHAT WENT WRONG?

Did anyone ask a question?

Did you have enough time?

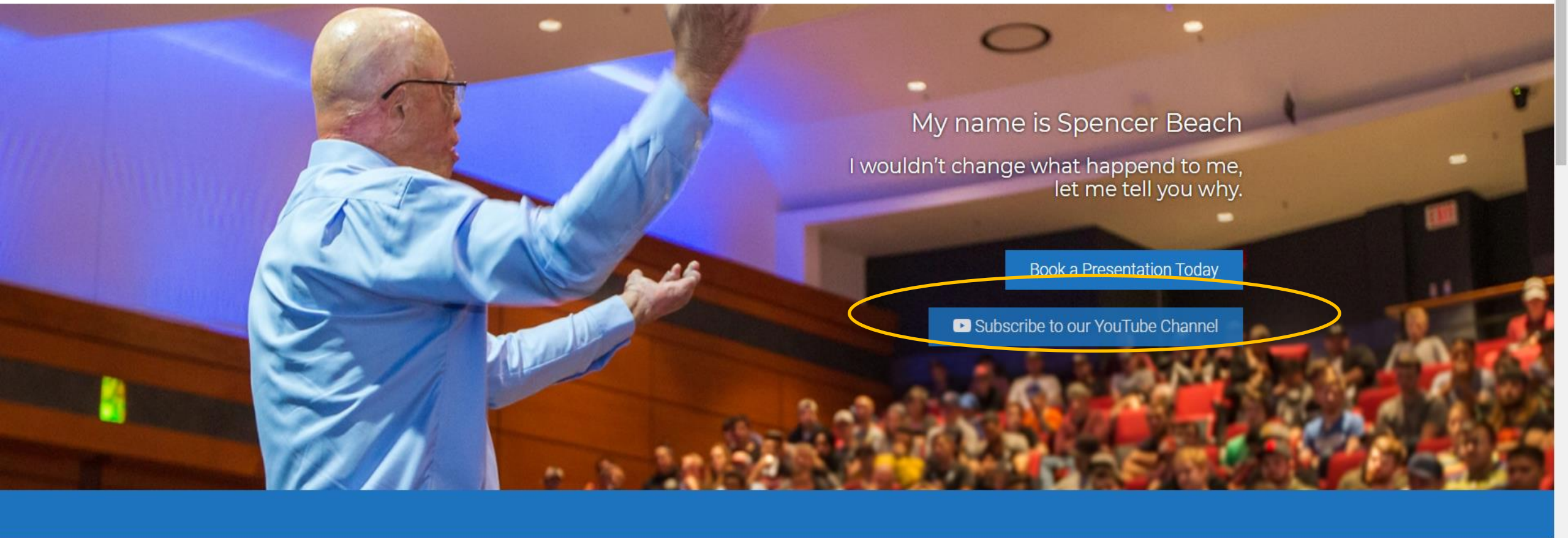
Did you follow what I was doing?

I was making an airplane



# Behaviors





My name is Spencer Beach  
I wouldn't change what happened to me,  
let me tell you why.

Book a Presentation Today

Subscribe to our YouTube Channel

## Welcome to Spencer Speaks

Every day we wake up and live our lives following the same routine. We get up at the same time, eat the same breakfast and kiss our spouses goodbye as we leave for work. On our way, we fill our lives with fleeting thoughts about dinner, our jobs, or obligations later in the day. My name is Spencer Beach and I learned that sometimes tragedy chooses you for no reason at all. On a day like any other, just doing my job, I found myself suddenly engulfed in a flash fire. It came with a whistle and a bang, changing my life within the blink of an eye. Forever. Within twenty seconds, I

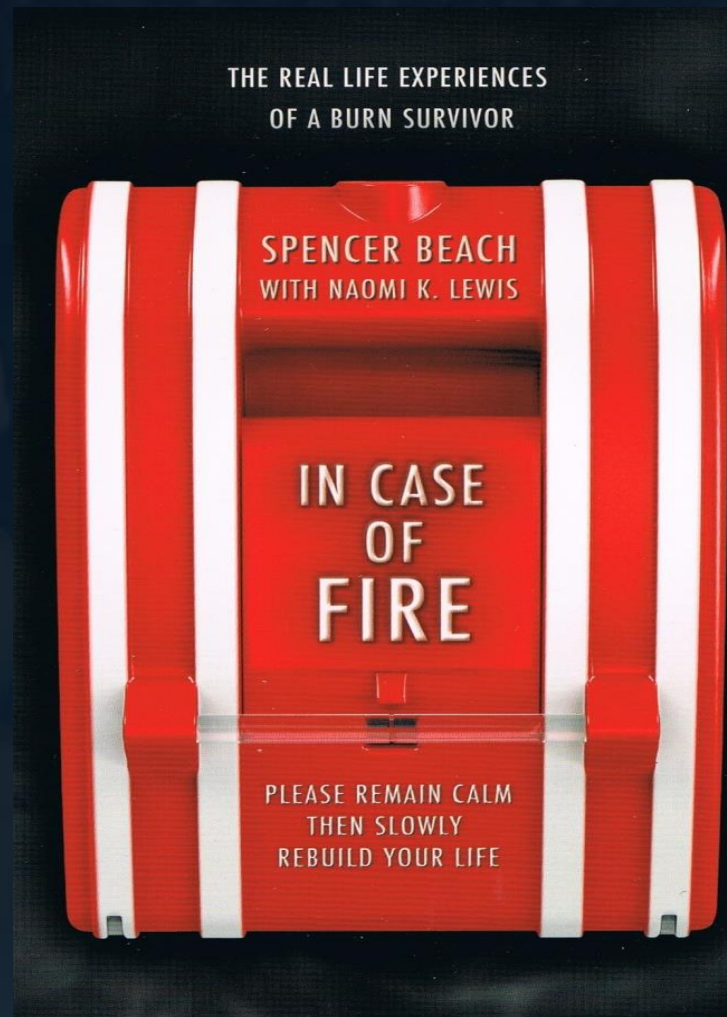


THE REAL LIFE EXPERIENCES  
OF A BURN SURVIVOR

SPENCER BEACH  
WITH NAOMI K. LEWIS

IN CASE  
OF  
FIRE

PLEASE REMAIN CALM  
THEN SLOWLY  
REBUILD YOUR LIFE



Stay Safe



**20th Alberta Health & Safety Conference**  
*Workplace Futures in a Changing World*



[www.hsconference.ca](http://www.hsconference.ca)

**Spencer Speaks Inc**  
[www.spencerspeaks.ca](http://www.spencerspeaks.ca)