

Client Services Policy Manual

Policy Number: **PR-14**
Subject: **PRIME Practice Incentive Path 1 – OHS Education**
Chapter: **PRIME**

Policy Statement

Provincial and federal regulated employers who are eligible for the practice incentive component under PRIME in accordance with Policy PR-01 PRIME Overview may qualify for a 5 per cent practice refund based on their compliance with education requirements.

This policy defines the requirements set by WorkplaceNL for an employer in Path 1 - Occupational Health and Safety (OHS) Education to qualify for the practice refund for PRIME effective January 1, 2024.

The education requirements under this policy will be periodically reviewed to reflect continuous improvement toward best practices in the areas of occupational health and safety and return to work.

General

Path 1 – OHS Education provides foundational education on occupational health and safety to small business owners, or their designates, through the completion of Worker Health and Safety Representative or Designate or OHS Committee certification training and five additional courses.

WorkplaceNL will determine whether the practice incentive criteria outlined in this policy have been met through information contained in WorkplaceNL's Certification Training Registry (CTR) and information database. Once WorkplaceNL confirms that all applicable requirements have been met, the employer will qualify for a PRIME practice refund calculated in accordance with Policy PR-02 PRIME – Calculations. Employers who are entitled to a practice refund may also qualify for an experience refund, charge or neither as outlined in PRIME Policy PR-01.

All PRIME eligible employers are categorized according to their average assessments and number of workers in accordance with Policy PR-11 PRIME Transition Policy. To qualify for a PRIME practice refund, employers must meet all the requirements for their category.

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| PRIME Employer Category | Which Employers? |
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| 1. Path 1 - OHS Education | Employers with less than \$10,000 in average assessments regardless of the number of workers at each provincially and federally regulated worksite Employers with greater than or equal to \$10,000 in average assessments and less than 20 workers at each provincially and federally regulated worksite |
| 2. Path 2 - OHS - Leadership Certification | Employers with greater than or equal to \$10,000 in average assessments and 20 or more workers at any provincially and federally regulated worksite |

* Construction employers must be COR certified with a valid Letter of Good Standing from the Newfoundland and Labrador Construction Safety Association to be considered for PRIME refunds.

WorkplaceNL retains the right to categorize an employer to a different PRIME Practice category. Examples of reasons for such a recategorization include, but are not limited to, the following; injury frequency or severity, claim cost performance, and legislative compliance.

PRIME Practice Incentive Criteria

Path 1 - OHS Education

All employers that fall within the Path 1 – OHS Education category will be required to have a trained Worker Health and Safety Representative or Designate or OHS Committee at each applicable worksite and have completed the required PRIME education courses per year as outlined by WorkplaceNL.

Where an OHS Committee is required they are to meet at least once every three months during regular working hours, record, maintain and post minutes of all meetings and submit copies of minutes to WorkplaceNL within 90 days of the meeting.

In year one, participating employers will be required to have a trained Worker Health and Safety Representative or Designate or OHS Committee in place, and complete one other required PRIME online health and safety or return-to-work course as outlined in the CTR. In years two and three, participating employers will be required to complete two required PRIME courses per year until a total of five courses have been completed.

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To qualify for PRIME each year thereafter, Path 1 employers must have a trained Worker Health and Safety Representative or Designate or an OHS Committee, as well as a worker(s) who have completed the required courses and are still with the employer.

Compliance with the requirements in this category will be determined electronically through WorkplaceNL's CTR. Employers must claim their network and link their trained workers in the CTR.

Construction Industry Employers

Construction employers must be Certificate of Recognition (COR) certified by the Newfoundland and Labrador Construction Safety Association (NLCSA) to qualify for a PRIME practice refund and are not required to do the PRIME online courses under Path 1.

Equivalent Certification(s)

Non-construction employers who have an acceptable safety certification (for example, COR from the NLCSA) will qualify for a PRIME practice refund and are not required to do the PRIME online courses under Path 1 – OHS Education.

Merits and Justice

Where the individual circumstances of a case are such that the provisions of this policy cannot be applied or to do so would cause an unfair or unintended result, WorkplaceNL will decide the case based on its individual merits and justice as outlined by Policy EN-22 Merits and Justice. Such a decision will be considered for that specific case only and will not be precedent setting.

Reference:

Workplace Health, Safety and Compensation Act, 2022, Sections 65, 98, 100, 101, 103 and 117

Occupational Health and Safety Act, Sections 2(m), 36.1, 36.2, 37, 38, 38.1, 39 – 44 and 54

Occupational Health and Safety Regulations, Sections 12, 13 and 25

Occupational Health and Safety First Aid Regulations

Policies:

EN-22 Merits and Justice, PR-01 PRIME Overview, PR-02 PRIME Calculations, PR-03 PRIME Adjustments, PR-10 PRIME Audit for Non-Construction Employers, RE-02 The Goal of Early and Safe Return to Work and the Roles of the Parties, RE-03 Functional

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Abilities Information for Return to Work, RE-05 Re-employment Obligation, and RE-18 Hierarchy of Return to Work and Accommodation

Amendment History

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| Original Effective Date | Board approved on 2022 06 30 for effect on 2023 01 01 |
| Revision #1 | Board approved on 2023 10 19 for effect on 2024 01 01 |

Next Review Date 2024 10 01