

# **The Internal Responsibility System: *Getting to Zero***

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October 2003

# The Dilemma

“We are doing very well. We have instituted various OHS programs and brought our lost time down to an acceptable level. We are better than ....X. Things have reached a plateau. Can't go any further. In fact, been some recent spikes and an upward trend...”

# The Dilemma

Do you really want to go to zero?

For how long?

Is it just tinkering that will get you there? Or  
is there something fundamental that you are  
missing?

# The IRS

- The most potent ingredient in efforts to get to zero
- The most misunderstood and underestimated ingredient ...

# World Class Performance

The IRS and Due Diligence are the foundations of world class performance in OHS

... and quality, and environmental protection and ....

# **Two Ideas -- Traditional**

“Everyone is responsible for integrating health and safety into his or her job, and should take every precaution reasonable in the circumstances to avoid losses.”

# Two Ideas -- Positive

“Everyone should personally take every measure reasonable to continuously improve processes such that, among other benefits, the risk of occupational injuries and illnesses is driven down as low as it can reasonably go.”

# Getting to Zero

If you focus on lost time alone, you will “surf along the bottom of the graph”.

But if you focus on risk – in a personal and creative way -- you can suck lost time down to zero and keep it there for a very long time.

# IRS Does Not Operate Alone

- I am personally responsible for OHS (IRS)
- How far do I go in my efforts? (Due Diligence)

We are not covering the subtleties of due diligence today. But we will see the connections between the IRS and DD, risk and quality.

# Agenda

1. What is the IRS?
2. Structure and function
3. How can it fail?
4. How can it self-correct?
5. IRS Analysis
6. IRS Audits

# The Internal Responsibility System

- The philosophy behind the OHSA
- The IRS is a way of allocating responsibility, authority and accountability for safety that precedes law
- First named in the 1976 Ham Royal Commission Report
- Not mentioned directly in OHS legislation, except NS

# James Ham

James Ham got it right in 1976:

1. OHS should be integrated into production; it's not a separate function.
2. Everyone should be doing OHS directly as part of his or her job.

# The Internal Responsibility System

- Followed across Canada
- Often misdescribed
- An OHS Act may or may not be based on the IRS. It may inadequately portray the IRS. The Canada Labour Code is a good example of reform efforts going off the rails, and away from the true IRS.

# Good Piece of News

The model OHS Act being adopted by 16 Caribbean countries is almost word for word based on the Ontario OHSA, with the IRS the underlying philosophy.

# Legal IRS

- Do the duties, rights, powers and processes in the legislation require the creation, assessment, reinforcement of the IRS?
- Go to the pre-legal idea of the IRS, because this helps us see where the law may have gone wrong and where it might need reform; or where education and enforcement policies might need improvement.

# How Do We Know the Real IRS?

- Is the model historically accurate?  
(e.g. what did the Ham Commission really say in 1976?)
- For the legal version of the IRS, is the model legally accurate?
- Is the model the most effective one -- in practice?
- Is the model supported by accident theory?

# Muddying the Waters

After Ham, some have gone to great lengths to muddy the message.

The True IRS versus Labour Relations View

An individual coming to OHS from a labour relations background finds it almost impossible to understand or agree with the true IRS model.

# Sabotage

The story of the IRS since 1979 is one of continual undermining of the concept by people who seek to solve labour relations problems rather than OHS problems.

# Failures in Philosophy

- “It’s all just worker behaviour”
- “It’s all just engineering controls and physical barriers”
- “There’s no personal fault, it’s all the management system at root”
- “Nothing ever happens til we hit them with fines”
- “A good score on a system audit means we’re safe”

# Failures in Philosophy

- “The supervisor is the ‘key (only) person’”
- “Just a question of the right incentive program”
- “Negotiating OHS through the Committee will do it. If the union is happy the workplace is safe.”
- “We reach the right level of ‘acceptable risk’, then we can go on a holiday”

# **Power of the IRS**

It is the only philosophy that captures the knowledge, experience, skill, insight, observational position, initiative, creativity and enthusiasm of every human mind in the workplace.

It is the ultimate expression of respect for the human element in the workplace.

# Power of the IRS

- The IRS is the “people framework” around which the management system is built.
- An OHS management system without the IRS is lifeless.
- Programs and techniques are built on top of and around the IRS.
- A weak IRS will sabotage any other OHS initiative.

# Definition

“The IRS is a system, within an organization, where everyone has *direct* responsibility for health and safety as an essential part of his or her job.

An individual does health and safety in a way that is compatible with the kind of work that person does. Each person takes initiative on health and safety issues and works to solve problems and make improvements on an on-going basis. A person does this both as an individual and in co-operation with others.”

# Nova Scotia

*s. 2 The foundation of this Act is the Internal Responsibility System which*

*(a) is based on the principle that*

*(i) employers, contractors, constructors, employees and self-employed persons at a workplace, and*

# NS Definition Continued ...

*(ii) the owner of a workplace, a supplier of goods or provider of an occupational health or safety service to a workplace or an architect or professional engineer, all of whom can affect the health and safety of persons at the workplace, share the responsibility for the health and safety of persons at the workplace;*

# NS Definition Continued ...

*(b) assumes that the primary responsibility for creating and maintaining a safe and healthy workplace should be that of each of these parties, to the extent of each party's authority and ability to do so;*

# NS Definition Continued ...

*(c) includes a framework for participation, transfer of information and refusal of unsafe work, all of which are necessary for the parties to carry out their responsibilities pursuant to this Act and the regulations; and*

# NS Definition Continued ...

*(d) is supplemented by the role of the Occupational health and Safety Division of the Department of Labour, which is not to assume responsibility for creating and maintaining safe and healthy workplaces, but to establish and clarify the responsibilities of the parties under the law, and to support them in carrying out their responsibilities and to intervene appropriately when those responsibilities are not carried out.*

# IRS

**Internal** – many meanings

**Responsibility** – it's about obligations not  
rights

**System** – it's a true system, requiring  
“systems thinking”

# “Internal”

Health and safety is:

- internal to the workplace
- internal to the individual
- internal to the job description of everyone
- internal to routine decision-making
- driven by “internal motivation”

# Internal to the Workplace

- OHS is the responsibility of the workplace parties (as individuals)
- OHS is “self-regulated”, “self-monitored” to a very large extent
- External Responsibility System not directly responsible for OHS

# External Responsibility System

- Ministries/Depts of Labour
- Safety Councils
- Safe Workplace Associations
- Compensation Boards

Set standards, enforce, educate, etc. but don't do it for you

# IRS and ERS

Do MOL personnel understand AND agree with true meaning of the IRS?

Is enforcement policy built around the true IRS?

Do WSIB and the SWAs educate about and promote the proper model of the IRS?

# Wrong IRS Description

“The IRS is a partnership between labour, industry and government to ensure a safe and healthy workplace.”

Refers to a tripartite policy-making process (e.g. the development of WHMIS), but not the IRS.

# Wrong IRS Description

“IRS is a set of three rights:

1. To know about hazards
2. To refuse unsafe work
3. To participate (through committee)”

Missing the main element – personal duties of everyone

# Wrong IRS Description

“A group of people working together to improve health and safety in the workplace”

Vague. Unhelpful ... unless you want to slip the Titanic through the gap.

# Wrong IRS Description

“Labour and management co-manage OHS through the Committee. The Committee IS the IRS.”

The “labour relations” version of the IRS.  
Missing personal contribution of individuals.

# Wrong IRS Description

“The company/employer is responsible for OHS, not the government.”

Fails to raise the “corporate veil” and identify all individuals as personally responsible.

# Wrong IRS Description

“The IRS is a good OHS management system.”

The IRS is part of the management system – not a competing idea, nor is it synonymous with it.

# Internal to the Job Description of Everyone

- Everyone, no exception
- Staff and line
- Workers, supervisors, managers, officers and directors
- Personal, individual responsibility
- Do the kind of OHS work that fits with authority and control

# Accident Theory & IRS

## Descriptive

- |                                 |        |
|---------------------------------|--------|
| 1. Who can cause an accident?   | Anyone |
| 2. Who can prevent an accident? | Anyone |

## Prescriptive

- |                                  |          |
|----------------------------------|----------|
| 3. Who SHOULD prevent accidents? | Everyone |
| 4. Who SHOULD be doing OHS here? | Everyone |

# Origin of IRS

IRS isn't true by definition or created out of thin air by policy.

IRS is based on physical causation of accidents in the workplace by people – all people – in the organization.

IRS is “true” because of basis in accident theory.

# Workers

- Following regulatory procedures
- Following employer's procedures
- Following supervisor's procedures
- Identifying defects, contraventions and dangers
- Using initiative to reduce risk
- Applying discretion to solve OHS problems
- Reporting unresolved problems
- Working cooperatively with co-workers, supervisors and others

# Supervisors

- Using initiative to reduce risk
- Applying discretion to solve OHS problems
- Responding properly to reports
- Encouraging reports
- Training
- Ensuring qualifications

# Supervisors

- Safety talks
- Job planning
- Tailboard conferences, pre-job briefings
- Coaching
- Job observation

# Supervisors

- Post-job assessments
- Enforcement of rules and regulations
- Discipline
- Working cooperatively with workers, other supervisors, managers and others
- Taking unresolved problems to senior management

# Managers

- Using initiative to reduce risk
- Engaging in leadership activities for OHS
- Applying discretion to solve OHS problems
- Responding properly to reports
- Encouraging reports by supervisors

# Managers

- OHS performance evaluation
- Holding others accountable
- Developing, implementing programs
- Post-project/program assessment
- Properly allocating resources
- Staffing decisions

# Managers

- Considering system wide problems
- Taking unresolved problems to senior management
- Working cooperatively with workers, supervisors, other managers and others

# Executives

- OHS Policy
- Ensuring the development of an OHS system
- Ensuring periodic "system audits"
- Responding properly to reports by managers
- Ensuring that a proper IRS is functioning
- Ensuring that competent professionals are hired

# Executives

- Sufficient resource allocation
- Leadership — taking initiative; inspiring others
- Holding subordinates accountable
- Considering system wide problems
- Taking appropriate, unresolved problems to the directors

# Directors

- Setting the broad vision for OHS performance
- Ensuring that the officers are capable and motivated to establish and maintain the IRS and the OHS management system
- Requiring evidence that in fact the IRS and OHS system are functioning well
- Responding properly to reports by officers
- Holding the officers accountable for their OHS performance

# IRS and Teams

- IRS is not “command and control” –old fashioned.
- Teams with leaders, where individuals are empowered to both think and do...they are continuously improving the process themselves...this IS the IRS in action.
- A question of driving down authority

# Internal to Routine Decision-Making

- OHS not an add-on, an afterthought
- OHS not a separate function
- As you do your ordinary work you think about risk, hazards, controls and adjust your work accordingly
- Easy to see with workers and supervisors
- Hard to see with mid to senior managers and with staff positions

# The IRS is a Dynamic Problem Solving “Machine”

- Attempted resolution of problems within each level
- Attempted improvements within each level
- The upward flow of unresolved problems and opportunities for improvement
- Cooperative interaction between levels for problem-solving and improvements
- The number of problems flowing up decreases with each level

# Problem Solving “Machine”

- The number of initiatives that could be taken at each level without waiting for an issue to come up from below does not necessarily decrease with each level
- The nature of the problems and the opportunities will be different at each level
- Implication that people at lower levels need to be kept informed of what is happening to a problem or initiative that was sent up the system, or frustration will set in
- Implication that weakness in the IRS can occur at any or all levels

# **Response Driven by Reactive Due Diligence**

When a person receives a “hot potato” from below, his due diligence position shifts. Now he KNOWS about hazard X or non-compliance Y. Proactive due diligence is erased. Now what matters is response to the standard of the reasonable peer. Understanding of DD drives the IRS.

# Initiative versus Response

- IRS at levels above the hands on worker is not just about responding to issues from below.
- Individuals at all levels are in the best position to see how their own processes can be improved.

# IRS Activities

- Individual problem solving — identification of defects, anomalies, contraventions, hazards and risks and their resolution
- Individual creative and continual improvement of work processes
- Reporting up when in need
- Cooperative problem solving
- Further reporting up if necessary

# IRS and Risk

We do not want risk assessment to be done solely in a staff function; done globally for the organization.

We want risk assessment to be done daily by individuals as they are routinely making decisions.

# Risk

Personal assessment of risk allows an individual to figure out:

- what techniques to use
- when to use them
- how often to use them
- with what emphasis
- what to forego, as resources are limited

# Enemy of Zero

A quantitative view of risk. A view that suggests that risk can reach an identifiable “acceptable level”, after which our efforts are counterproductive.

View risk as “organic”. We are in a never-ending battle to keep pushing down on risk. Getting risk as “low as reasonably practicable” has no pre-set resting point.

# **Enemy of Zero**

## ***Complacency***

By thinking that a lost time statistic is the goal, or an acceptable level of risk is the goal, we ease off (rarely intentional).

# Solution

“Quality thinking” is the answer. Shift from finding “bad things” – defects, hazards, contraventions – to improvements in processes.

BUT done through the IRS !!!!

# IRS and Quality

We do not want quality to be done solely in a staff function; done globally for the organization.

We want quality to be done daily by individuals as they are routinely making decisions.

# Due Diligence and Quality

“Take every measure reasonable in the circumstances to improve processes you are involved in.”

For world class OHS performance, we must incorporate quality principles into OHS decision-making.

# Quality Thinking

“I don’t necessarily see any bad things – defects, contraventions and hazards – but I can see ways of:

- simplifying things
- automating things
- reducing the number of steps
- narrowing variation
- applying a new technology
- making it comfortable
- reducing stress”

# IRS and Quality

If everyone in the IRS is seeking to continuously improve the processes they are involved in, there will be many benefits:

- cost reduction
- environmental protection
- improved service to clients
- better product
- reduced risk to workers

# Failures in the IRS

- At what level can it fail?
- Workers disengaged, unmotivated, cynical, untrained in OHS, frustrated
- Supervisors discourage reports, discount risk, production first, pass on problems without attempting solution

# Failures in the IRS

- Managers don't want to hear about problems, bounce issues back to supervisors, take long time to analyze without status reports to workers
- Executives ignorant of systems approach, OHS solely for the little people, poor leadership skills, delegate OHS entirely to the experts, don't prioritize OHS

# Failures in the IRS

- Directors don't hire interested executives, don't ask questions except in a *pro forma* superficial way, don't ask for system audits
- OHS professionals behave like “Mr. Safety”
- JHSC committees try to do work of everyone in IRS
- Worker reps encourage workers to come to them, not to their supervisors

# Major Failures in the IRS

## *Corruption by Labour Relations Views*

- Not about individuals, but groups
- No common interest
- Adversarial atmosphere
- “Us versus Them”
- Poor trust and communication
- Supervisors circumvented
- Over-reliance on worker reps and JHSC

# Major Failures in the IRS

## *Corruption by Labour Relations Views*

- Over-emphasis on rights
- JHSC seeks direct power
- Management accustomed to saying “no”
- Complaints based, not suggestions for improvement
- Resistance to “quality thinking”
- Over-reliance on threat of MOL inspectors
- Worker reps in competition with OHS professional

# Major Failures in the IRS

## *Result*

- Abdication of responsibility by individuals in the IRS
- Over-burdened JHSC grinds to a halt
- Risk increases

# IRS and LR

Direct correlation between poor IRS and poor labour relations.

Poor labour relations causes poor OHS performance.

Yet, improving the IRS can improve labour relations.

# Internal Self-Correction

Main self-correction:

- Each person holds the person below them accountable for their performance in the IRS.
- Each person evaluates the people above for their performance in the IRS.
- Senior people monitor the entire IRS for results of such evaluation.

# Internal Self-Correction

Ultimately senior management personally responsible for the health of the IRS as part of their mandate to get the “corporate culture” right.

OHS professionals also monitor the IRS performance at all levels and advise corrective measures.

# “Failsafe Devices”

James Ham aware that the IRS could fail. The “Three Rights” originally seen as “failsafe devices” to ensure correction of the IRS.

- Right to know about hazards and controls
- Right to refuse unsafe work
- Right to participate in OHS through worker reps and Committee

# Right to Know

- Expressed as “duties to tell”
- Openness about OHS; no secrets
- Knowledge not to be used as instrument of power and as leverage in negotiation
- Information to be the “oil and grease” of the “IRS machine”
- Everyone in IRS makes better decisions when fully informed

# Right to Know

## Primary Right to Know:

- Duties of supervisors and employer to tell workers of hazards and controls

## Secondary Right to Know:

- Duties of employer and workplace parties to inform and assist the worker reps and the Committee

# Right to Know

Impoverished view of the Right to Know:

- “We will comply with our legal duties to tell about hazards and controls.”

Rich view of the Right to Know:

- “We will create a culture of openness where OHS information flows freely and where everyone has the necessary skills, and the power to use those skills, to drive down risk.”

# Right to Refuse

Critical to understand that the Right to Refuse does not replace and should not undermine the normal on-going reporting of concerns and creative suggestions for improvement.

Where the IRS is failing – in the opinion of the worker – the worker has the right to require an investigation by the organization.

# Right to Refuse

- A work stoppage alone is not necessarily a refusal.
- If the IRS is working well, work refusals should be rare.
- A work refusal is a sign that the normal functioning of the IRS has failed.

# Right to Refuse

Impoverished view of the Right to Refuse:

- “We’ll satisfy this worker and get back to work.”

Rich view of the Right to Refuse:

- “Sure, we can solve this immediate problem, but why did this worker feel he or she had to invoke the Right? What’s wrong with the IRS?”

# Right to Participate

Do not confuse the right to participate through representatives and the Committee with the **duty** to participate in the normal functioning of the IRS.

James Ham recognized that the IRS needs internal auditors and “watchdogs” to correct weaknesses.

# Right to Participate

Impoverished view of the Right to Participate:

- “The worker rep can hang around and make sure no one is coerced, and the Committee can be a “bitch session” where people can let off steam.”

Rich view of the Right to Participate:

- “Worker rep and Committee continually review why problems arise through failures in the IRS and make suggestions and recommendations for IRS improvement.”

# Right to Participate

Worker Rep and Committee have positive functions of consultation and advice for all aspects of the OHS management system.

Worker Rep has routine function of efficiently pointing external auditor to weaknesses in IRS and OHS management system

# Right to Participate

In cases of serious management malfeasance – the IRS is not self-correcting -- Worker Rep is “failsafe device” to call in external enforcement.

Committee is a “bipartite”, “labour relations” entity, even though the IRS is not, in order to ensure OHS management system and IRS remain “honest”, and that we have fearless champions of OHS in the workplace regardless of IRS failure.

# Major Error

A belief that these secondary failsafe devices are:

1. How you do OHS
2. How you primarily correct weaknesses in the IRS

# “IRS Analysis”

Analyze every OHS issue in terms of the underlying IRS, e.g.:

- Inspections
- Investigations
- Complaints
- Orders
- Recommendations
- Work Refusals
- JHSC Activities

# “IRS Analysis”

1. What went wrong with the IRS?...fix it.
2. What could go wrong with the IRS?...avoid it
3. How can we strengthen the IRS?

# OHS Driven by “Internal Motivation”

- Difference between motivation from within the person and motivation from without
- External “rewards and sanctions”
- Internal “satisfiers” .... pride, sense of achievement, self-development, control, curiosity, self-respect, morality, etc.
- Which works best for “out of sight short cuts”?
- Which works best for obtaining creativity and initiative for OHS?

# **The Internal Responsibility System is:**

- A set of responsibilities for every individual in the organization
- A hierarchy of responsibility, authority and accountability
- A set of values and principles
- A system of processes and activities
- A pattern of individual creativity
- A true “system”. It has built devices for monitoring, feedback and control

# Resistance to the IRS

- Afraid it means work.
- Want to avoid personal accountability.
- Worried legal liability will inexorably follow.
- Prefer to have the experts do OHS.
- Prefer to dump stuff on a committee

# Resistance to the IRS

- OHS must be forced.
- "Self-regulation" means "no safety"
- Prefer the Inspector be Clint Eastwood and tell people what to do.
- Senior executives don't know what "safety leadership" is. Don't actually know how to manage OHS.

# Countering Resistance

The IRS is not true by fiat.

Personal one on one persuasion.

“Let the stream flow past the hard rocks of resistance ... they will eventually be worn down.”

# Communicating the IRS

- Everyone is the audience
- Need clear definition
- Need clear descriptions
- Understand the myths and the false versions and the language problems
- Understand the relationships between IRS and accident theory, due diligence, the OHS management system, quality principles, etc.

# Communicating the IRS

- Individuals must accept the values implicit in the IRS -- "value alignment"
- Everyone should be capable of communicating the concepts in turn
- Revisit and rearticulate the concepts.
- Don't turn the IRS into this year's fad. It has to be refreshed, recast, new metaphors, new examples.

# Methods of Communicating the IRS

- Policy statement
- OHS Management System description
- OHS Department mandate
- JHSC mandate
- Bulletin boards
- Newsletters
- Websites

# Methods of Communicating the IRS

- Training material introductory statements
- Safety talks, tailgate sessions, toolbox talks
- Orientation training
- Work specific training
- Refresher training

# IRS Audits

We “audit” the workplace and we do “system audits” of the OHS management system.

Can we directly audit the IRS?

Yes, survey individuals at all levels.

# IRS Audits

Surveys, interviews and observations to measure the health of the IRS at each level of the organization; identifying strengths and weaknesses with a view to correction

# IRS Audits

Ask questions about:

- understanding
- beliefs
- cooperation
- communication
- involvement
- response time
- recognition for initiative

# IRS Audits

Ask questions about:

- individual's perception of how **others** are performing in the IRS
- whether “IRS analysis” is applied to problems
- whether internal failsafe devices are working
- about behaviour in addition to beliefs

# **IRS Audits**

Don't make a fetish out of  
“scores”.

# A Great Fear

That governments will lose their way. That in an effort to be “current”, the errors made in the Canada Labour Code will be adopted in Ontario ... ending James Ham’s legacy.

The IRS cannot function well in opposition to an officially sanctioned labour relations view of OHS.

# **IRS, Due Diligence, Risk and Quality**

If everyone in the IRS is personally taking every measure reasonable to continually improve processes he or she is involved in, we can drive risk down as low as it can reasonably go. Tomorrow, we drive it down a little further. The lower the risk, the longer we can go with zero accidents.

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