

Health & Safety for Artists by Ted Rickard

Presented at Mural Routes' 9th National Mural Symposium – Kitchener/Waterloo 2005

An important seminar on health and safety issues for artists and arts managers

The following is a point form summary of the presentation outlining - responsibilities, rights, liabilities, hazardous materials and safety tips.

Mural Artists' Planning Tool Kit

- The Law
- Liability
- The Importance of Risk Management and Planning
- Workers, Volunteers and Children
- Ladders and Scaffolds
- Materials
- Personal Protective Equipment
- Lessons Learned

Risk Management

The art of looking into the future, recognizing potential problems and putting steps in place to avoid those problems or to minimize their impact

Definition of Worker according to the Occupational Health and Safety Act "... a person who performs work or supplies services for monetary compensation..."

Rights of Workers

- Right to Know
- Right to Refuse Work
- Right to Participate

Self-employed workers are still subject to much of the Occupational Health and Safety Act, and its Regulations.

Workplace can be defined as "... any land, premises, location or thing at, upon, in or near which a worker works."

The Supervisor

- Is legally responsible for the safety of all workers on the job.
- He/she must know about the health & safety issues, as well as how to do the job technically.
- It would be an excellent idea if he/she gave a short safety talk before the job started, giving expectations of all parties.
- He/she should actually **supervise** to ensure that people are not working dangerously.

Worker responsibilities:

The Occupational Health and Safety Act requires workers (amongst other things) to:

- Work safely at all times
- Use or wear protective equipment or clothing as required by the Employer
- Report hazards
- Not operate machinery or equipment dangerously

[Occupational Health and Safety Act, s.28]

Children and Youth

- Mural painting is meant to be, not only fun but also, a learning experience.
- So you have an obligation to teach young people the safest way to do something.
- This experience could stay with them for the rest of their life.
- You are a role model, and should not be demonstrating dangerous (or potentially dangerous) practices.

Young workers are at risk, if.....

- Little orientation or training
- Macho or anti-adult attitude
- Think they are immortal
- Often inadequate supervision
- Vulnerable (don't want to ask questions or speak up)

The Occupational Health and Safety Act makes you liable for the safety of people you hire:
OHS: General Duty Clause "...an employer shall, take every precaution reasonable in the circumstances for the protection of a worker" [Occupational Health and Safety Act, s. 25(2)(h)]

WAIVERS DON'T WORK IN COURT!

The Law says:

- You cannot sign away your rights to a safe workplace
- You cannot sign away other peoples' rights to safety
- You cannot sign away your responsibility for the safety of others.

Liability

- Identify key "owners". Who is ultimately in charge of the project?
- Plan and identify responsibilities clearly in writing.
- Identify somebody specifically responsible for health & safety on the project.
- This person must be advised that they have this responsibility, and must follow through and actually DO IT.
- Documentation is important. Prove It!
- DOCUMENT, DOCUMENT, DOCUMENT!

Bill C-45 - The Criminal Liability of Organizations Act

This new legislation makes even a non-profit organisation liable for the safety of everyone in the vicinity of the workplace – even passers-by and people who are not involved with the project.

Insurance

- Do not rely on it.
- Often will not protect you.
- Any breach of law or obvious negligence may invalidate it, and will certainly raise your premiums sky high next time.

Problem-solving on the job is good, and always necessary.

- But: good planning before you start is even more necessary.
- Risk management and the safety of all must be the Number One goal.
- So think carefully before you start improvising with ladders, scaffolds and tools.

Site preparation:

- Clean up completely under foot (old tires and shopping carts, debris, broken glass, needles, loose earth, plants, etc.)

Note: many workplace accidents are caused by slips, trips and falls on a level surface.

WHMIS - Workplace Hazardous Materials Information System

Hazards related to preparation of surfaces -

- The problem of lead paint
- Chemical paint strippers
- Dusts – eye and respiratory protection

Chemical Strippers and Graffiti Removers (major inhalation hazard)

- Toluene (or Toluol)
- Xylene (or Xylol)
- Methylene chloride
- others...

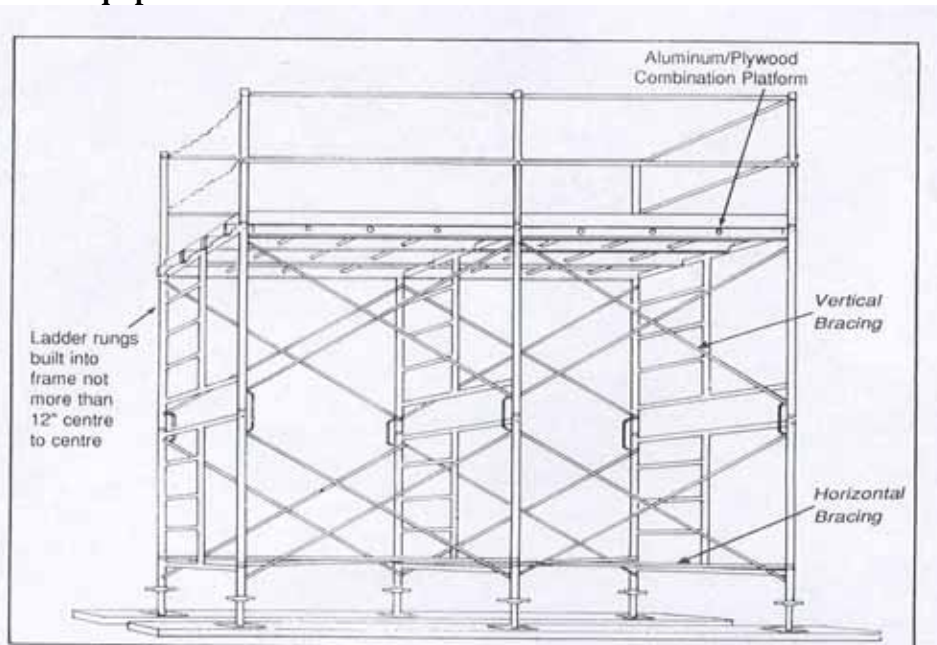
WARNING: Isocyanate-containing compounds can be extremely hazardous to your health

Fire hazard:

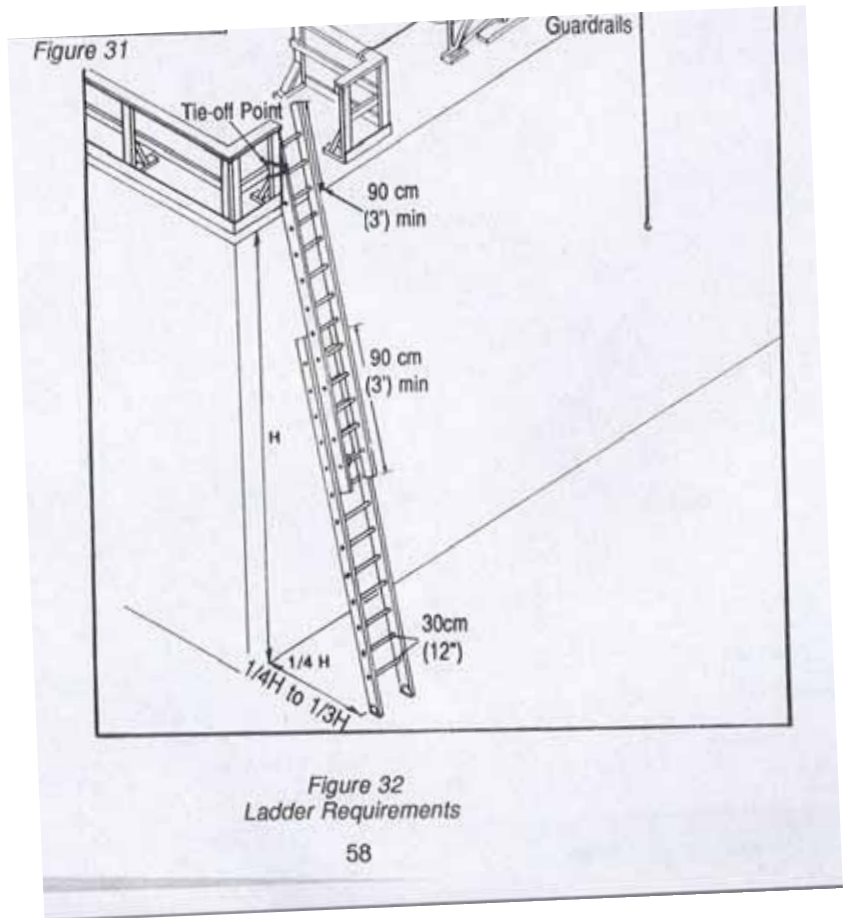
- Linseed Oil can spontaneously combust
- Never bundle up linseed oil-soaked rags or paper towel for the garbage.

Scaffolding

- Requires knowledge and competence to put it together properly
- Requires safety rails, proper planking, toe rails, etc., etc.
- If worker is over 3 metres from the ground without guardrails he/she requires **fall arrest equipment**.



Proper use of ladders and scaffolding



Fall Arrest Equipment

- A full body harness, properly inspected and installed
- Harness to be properly tied off to a mounting point
- Worker trained in the use of fall arrest equipment

(One day training at Construction Safety Association, North Safety or similar)

Extreme temperatures - Require special protection:

- In heat: workers may need hats, sunscreen, more liquids, more rest breaks, and careful monitoring.
- In cold: they may require hats, gloves, warm clothing, hot drinks, warm rest areas, and careful monitoring.

CAUTION:

You are at greater risk of injury when you are under stress, in a hurry or suffering from lack of sleep. "Accidents" are preventable!

Take a break every couple of hours and unwind a little. Respect your important tools – fingers and eyes cannot be replaced.

Wrap-Up – the professional way

- A short debriefing or "lessons learned" session immediately after the project is finished – with all workers participating, preferably on site.

- Make notes, and circulate to all concerned.
- Learn from this session and move forward to the next project better prepared.

Donors and your Community have their own agenda:

- They want good PR
- They want a positive write-up in the local press
- They want to be considered good corporate citizens
- They want to help their local community.

They DO NOT want the bad publicity resulting from an injury or a prosecution!

The basic message:

- If you are unsure about how to do something safely, don't do it.
- Ask how to do it safely.

Presented by Ted Rickard

*Ted Rickard says that everyone thinks of him as *The Safety Man*, but actually his job is much more than that. His graduate degrees are in Information & Library Science but also in Education, and he regards himself very much as an information resource and an educator. Ted recently retired as Manager of Health & Safety at Ontario College of Art & Design, and is accepted as Canada's specialist in art hazards. He spoke about the kinds of hazards mural artists can encounter – and what to do about it.*