

SAFE Companies Guidelines - Obtaining and Maintaining SAFE Certification

The New Brunswick Forest Safety Association, (the “**Association**”), has implemented a voluntary program for obtaining and maintaining SAFE companies certification (the “**Certification**”) and intends by this document to confirm for all Participating Companies the terms and conditions of obtaining and maintaining such Certification.

The terms and conditions of obtaining and maintaining a Certification are as follows:

1. Term

Each Participating Company’s Certification will be valid for a three year period (the “**Term**”), unless earlier terminated or suspended as set out herein.

2. Obligations of a Participating Company

To obtain and/or maintain Certification:

2.1 Each Participating Company will complete and submit to the Association:

- (a) the SAFE Companies Program Registration Form, together with the applicable fees, and a certification audit prior to obtaining a Certification;
- (b) an annual calendar year maintenance audit on or before each anniversary date of a Certification or June 30 of that year, whichever is later, and performed by an external or internal auditor no more than 6 months before the date of submission;
- (c) a re-certification audit before the expiry of the Term performed no more than 6 months prior to the expiry of the Term;
- (d) only in the case of a SAFE Employer with no work activities during a year that otherwise would have necessitated the completion and submission of an annual maintenance audit, an administrative audit, when required by the Association and on such conditions established by the Association; and
- (e) such other audits as may be required by the Association from time to time.

2.2 For each audit submitted to the Association, the Participating Company will ensure that it achieves an overall audit score of not less than 80%, with no less than 50% in any one audit element, except where it has achieved an overall audit score between 70-79% with no less than 50% in any audit element and has provided additional materials or information deemed sufficient by the Association to satisfactorily complete its audit and improve its score.

2.3 No Participating Company will make or give any false or misleading representation, statement of fact, or opinion to the Association or to an auditor or in a SAFE Companies Program Registration Form, nor will it do so to a third party (including WorkSafeNB) about a matter relating to Certification. It will not omit to state a fact necessary to make or give its representations, statements of fact, or opinions accurate to the Association, an auditor, or third party (including WorkSafeNB).

2.4 No Participating Company will engage in conduct that does not promote safety and which, in the opinion of the Association, could bring the reputation and credibility of the SAFE Companies Certification Program into disrepute.

2.5 A Participating Company that has previously been certified as an IOO, ISES SAFE Employer, or a SESAFE Employer and subsequently has increased its number of Workers such that it falls within the definition of another size category, will submit a request for a new Certification within 90 days of falling within the definition of another type of employer.

2.6 Upon receipt of Certification, each Participating Company will:

- (a) comply with, and cause its auditors and audits to comply with the standards and applicable guidelines required of a Participating Company established from time to time by the Association for employers, auditors, and audits;
- (b) unless otherwise stated in this Policy, comply with, and cause its auditors and audits to comply with, the standards and applicable guidelines required of a Participating Company established from time to time by WorkSafeNB for employers, auditors, and audits in the Certificate Program;

- (c) immediately inform the Association of any change in employer name, WorkSafeNB account number, WorkSafeNB NAICS (including an addition of a classification unit), acquisition of another employer, or change to ownership of the Participating Company;
- (d) comply with directions issued from time to time by the Association;
- (e) consent to the Association providing such information as required by WorkSafeNB for purposes of quality assurance, issuance of Program certificates, and furthering the objectives of the Program; and
- (f) consent to the Association posting on the Association's web-site the Participating Company's name, principal business location, and Certification status where it has obtained and maintained the Certification, for the purpose of furthering the objectives of the Program.

3. Categorization of Participating Companies

3.1 Upon receipt by the Association of a certification audit or any subsequent audit, or a request made under section 2.5, the Association will determine whether a Participating Company is a SAFE Employer, a SESAFE Employer, an ISESAFE Employer, or an ISAFE Employer, using the following criteria:

- (a) a "**SAFE Employer**" has a Peak Company Size of:
 - (i) more than 24 Workers; or
 - (ii) less than 25 Workers but the mathematical average number of Workers in the Included Months is more than 19 Workers;
- (b) a "**SESAFE Employer**" has a Peak Company Size of:
 - (i) 6 to 19 Workers; or
 - (ii) 6 to 24 Workers but the mathematical average number of Workers in the Included Months is 19 or less Workers;
- (c) an "**ISESAFE Employer**" has a Peak Company Size of 2-5 Workers (not including one Worker who works for only 20 working days or less in the Review Period), that is not an IOO Employer; and
- (d) an "**ISAFE Employer**" has a Peak Company Size of one individual owner operator and no more than one office support worker (not including one Worker who works for only 10 working days or less in the Review Period).

3.2 A Participating Company will provide such documentation and information to the Association as the Association may require in order to make the determination referred to in section 3.1.

NOTE: Dependent Contractors add to your Worker count, and a Participating Company with one or more Dependent Contractors cannot be an IOO Employer.

4. Early Termination, Suspension, or Other Action for Breach of an Obligation of a Participating Company

4.1 Certification of a Participating Company will terminate if a Participating Company breaches section 2.1(b) or (c). The Association will advise the Participating Company of such termination by giving written notice, and such termination will be effective on the date that the Association removes the Participating Company from the Association's list of certified companies. In any other case, the Association may terminate or suspend a Certification, or take such other action as it deems appropriate for breach of any other obligation of a Participating Company set out in this document if, before making such a decision, it:

- (a) gives notice to the Participating Company in writing of the proposed termination or suspension, and the reasons therefor; and
- (b) gives the Participating Company 30 days within which to deliver a written submission to the Association with respect to the proposed termination or suspension.



4.2 If the Association decides to take action after considering the submission of the Participating Company under section 4.1(b), it will give notice to the Participating Company as set out in section 7 and such action will be effective on the date that the Association removes the Participating Company from the Association's list of certified companies.

5. Reinstatement

The Association may set the terms and conditions for re-certification of a Participating Company, or an entity under common control or direction of a Participating Company, whose Certification has previously expired or has been terminated. The Association may declare that an entity and a Participating Company are under common control or direction in its sole discretion.

6. Amendment

The Association may amend any of the terms and conditions set out herein by posting the changes on its website.

7. Notices

Any notice required or permitted to be given will be given in writing and be deemed to have been given or submitted when delivered by courier or transmitted by fax or e-mail, or five business days (not including Saturday, Sunday, or a statutory holiday) after the date sent by certified or registered mail, postage prepaid, return receipt requested. Each Participating Company will provide to the Association and maintain a mailing address, and will advise the Association of its fax number or e-mail address, if any, and each Participating Company waives the right to receive any other form of notice.

8. Exclusion of Liability

Notwithstanding any other provision of this document or any statements, representations, agreements or conduct to the contrary, in no event will the Association be liable to a Participating Company, or to anyone claiming through or under it, for any claim or loss, whether in contract or in tort, or based on any other theory of law whatsoever, arising from or connected in any way with the interpretation or application of these terms and conditions of Certification by the Association including, without limitation, any claim for loss of profits, indirect costs or consequential damages.

9. Waiver

The failure of the Association to insist upon the strict performance of any term or condition contained herein or to exercise any right will not be construed or operate as a waiver of the term or condition, and no waiver will be inferred from or implied by anything done or omitted to be done by the Association.

10. Definitions

For the purposes of this document:

- (a) **"SAFE Employer", "ISAFE Employer", "ISESAFE Employer", and "SESAFE Employer"** have the meanings given in section 3.1;
- (b) **"Dependent Contractor"** means a person, whether or not employed by a contract of employment or furnishing his or her own tools, vehicles, equipment, machinery, material or any other thing, who performs work or services for another person for compensation or reward on such terms and conditions that he or she is, in relation to that person, in a position of economic dependence on, and under an obligation to perform duties for, that person more closely resembling the relationship of an employee than that of an independent contractor;
- (c) **"Included Months"** means all calendar months in a Review Period in which the number of Workers employed or engaged by the Participating Company for such month is more than 24% of the Peak Company Size;
- (d) **"Participating Company"** means an employer in the forest industry, or such other employer included by the Association from time to time, that wishes to obtain or maintain a Certification;
- (e) **"Peak Company Size"** means the greatest number of Workers employed or engaged by the Participating Company at any time during the Review Period, as established by the Association;
- (f) **"Program"** means the SAFE Company Certificate of Program established by NBFSA;
- (g) **"Review Period"** means the 12 consecutive calendar months immediately preceding an audit or, in

the case of section 2.5, any 12 consecutive month period immediately preceding the date of the engagement of a Worker whose hiring would cause a Participating Employer to fall within the definition of another type of employer;

- (h) **“Workers”** means employees, owner operators, Dependent Contractors, and employees of Dependent Contractors, and **“Worker”** means any one of them.

What is the SAFE Companies program all about?

The New Brunswick Forest Safety Association’s “SAFE Certification” program is modeled after the BC Forest Safety Council’s SAFE Companies Program and the CSA Z1000-06 Standard. The “SAFE Certification” program is site specific, voluntary, multi-staged and is audited by qualified third party auditors and available to any New Brunswick sawmill, logging, and silviculture company. Choosing to model after these standards lends credibility and value to the “SAFE Certification” program, it will also assist a company in obtaining CSA Z1000 should they decide to do so in the future.

The total time required to achieve “SAFE Certification” status with the New Brunswick Forest Safety Association will depend on the maturity of a company’s health and safety management program at the time of application. The following table outlines the various stages to “SAFE Certification” and their associated deadlines.

Stage	Description	Deadline
1) Application	<i>Company submits application form. The certification process officially begins when the application has been internally reviewed and accepted (the “application date”). At this time the company will receive a Resource Manual and a formal “SAFE Certification In Progress” letter and certificate.</i>	Application is valid 24 months from date application is accepted.
2) Training	All upper level site management responsible for health and safety (directly and indirectly) are required to successfully complete the “Safety Management System Training” course offered by the New Brunswick Forest Safety Association. <i>Participants to be determined by New Brunswick Forest Safety Association.</i>	To be completed within 6 months from application date.
	All personnel responsible for safety management system components including the health and safety manager are required to successfully complete the “Internal Auditor” course offered by New Brunswick Forest Safety Association. <i>Participants to be determined by New Brunswick Forest Safety Association.</i>	To be completed within 6 months from application date.
3) Readiness Assessment	An audit will be performed by qualified auditors from the New Brunswick Forest Safety Association. The purpose is to determine if the site is ready to pursue the Certification and Compliance Audit.	Request must be made within 24 months from application date.

4) Certification & Compliance Audit	<i>An external audit performed by qualified auditors from New Brunswick Forest Safety Association to validate company's "SAFE Certification" status to full. If successful, company will receive official letter of Certification status, Certificate and electronic "SAFE Certification" logo.</i>	Request must be made within 6 months from Readiness Assessment.
5) Internal Audit	To be performed by company representatives.	To be performed annually to maintain certification status.
6) External Audit	To be performed by representatives of New Brunswick Forest Safety Association.	To be performed annually to maintain certification status.
7) Re-Certification Audit	To be performed by representatives of New Brunswick Forest Safety Association.	To be performed every 3 years to maintain certification status.

Why would a company wish to be a SAFE Certified company?

The most important reason for considering the "SAFE Certification" program is the positive impact that its success will have on improving your company's safety management system. Using various audit tools, during internal and external audits, key safety items will receive due attention, areas for improvement are recognized, legal compliance is verified and safety policies and procedures are audited to ensure that they are effectively communicated throughout your company.

A unified commitment to safety by management and employees in conjunction with the "SAFE Certification" program is expected to have an overall positive result on your organization's health and safety program by reducing incident rates, improving production and employee retention and morale.

"SAFE Certification" not only makes good safety sense, it makes good business sense. Many client companies of forestry goods require assurances that the products they purchase are produced in a safe environment. The "SAFE Certification" program provides that assurance and provides all necessary documentation that your company may require to support that claim.



Who can become SAFE Certified?

Any member company of NBFSA.

SAFE, SE-SAFE, ISE-SAFE, or I-SAFE? Where does your company fit?

SAFE (Large Employer)	20 or more employees and dependent contractors
SE-SAFE (Small Employer)	6-19 employees <i>or</i> dependant contractors and their employees
ISE-SAFE (Independent Small Employer)	Small independent employers of 2-5 employees <i>or</i> dependant contractors and their employees
I-SAFE (Individual Owner Operator)	Owner-operators with no more than one office support person <i>or</i> one-person companies that hire non-dependent contractors

Registration form

http://nbforestsafety.ca/forestsafety/safe/SAFE_Registration_form_english.pdf

Fees and Courses

Program	Registration Fee (\$)	Course (s) Required
SAFE (Large Employer)	650	Safety Leadership & Internal Auditor
SE-SAFE (Small Employer)	325	Safety Leadership
ISE-SAFE (Independent Small Employer)	150	N/A-consulting services available by request
I-SAFE (Individual Owner Operator)	70	N/A- consulting services available by request

(Fee includes HST and is subject to change)

Fee (Complete Fully And Print Clearly)

Payment Total Authorized: \$

Cheque - Payable to NB Forest Safety Association enclosed



The NB Forest Safety Association uses your company, personal and financial information for purposes for which it was provided: SAFE Companies certification and course registration. The Association is committed to respecting your privacy. We welcome you to read our Privacy Policy, posted on our Website.

The “SAFE Certification” program is just one of the many ways in which the New Brunswick Forest Safety Association strives to assist its member companies prosper locally, provincially and internationally. If you have any questions on the “SAFE Certification” program or if you are interested in applying, you are encouraged to contact the New Brunswick Forest Safety Association.