

Recreation Facility Association of Nova Scotia Trend Report - Helmet Safety



Recreation Facility
Association
of Nova Scotia

Fall 2019

Trend/Background

The Recreation Facility Association of Nova Scotia (RFANS) has seen an influx of enquiries from various ice facilities (indoor/outdoor ice surfaces) in Nova Scotia around helmet policies. Recreation facilities and Municipal Recreation Departments are interested in finding out what facilities across the province are doing in terms of safety precautions addressing participants accessing their ice surfaces. Questions around who should be required to wear helmets when participating in open or public skates, rentals, etc. and more recently, employee safety when working on the ice surface, have come up frequently.

Nova Scotia does not have any legislation that governs the use of helmets for participants accessing an ice surface or for employees working on the ice; however, referring to the Occupier's Liability Act and the Occupational Health and Safety Act it is accepted that recreation facilities play a role in ensuring and promoting safety.

Safety

Concussions are one of the most common forms of injury leading to death, hospitalizations and disability among Canadians (Public Health Agency of Canada, 2018). Many youths will experience a concussion while participating in sport or recreation activities (Public Health Agency of Canada, 2018). Between 2016-2017, the National Ambulatory Care Reporting System (NACRS) reported that approximately 46,000 concussions diagnosed at a hospital were in children and youth aged 5-19 (Public Health Agency of Canada, 2018). Of these, 26,000 were male with 54% of those concussions being sport or recreation related, while 20,000 were diagnosed in females with 45% a result of participation in sport or recreation (Public Health Agency of Canada, 2018).

In 2012, it was reported that sixty thousand workers are injured on the job from falls (CRFC, 2012). The Public Health Agency of Canada has predicted that by the year 2031 there will be a 28% increase in hospitalizations due to traumatic brain injuries compared to 2011 (Smith, 2017). WCB Nova Scotia

reported in 2016 4.8% of injuries, which were compensable time-loss claims, occurred to the cranial region, including the skull as compared to 2015 at 3.6% (WCB, 2016). In the same report, WCB Nova Scotia stated that in 2015, 229 incidents (3.8%) were caused by a concussion or intercranial injuries in comparison to the 283 (4.8%) reported in 2016 (WCB, 2016).

Nova Scotia Arena Statistics

RFANS sent out surveys on September 3, 2019 to all the arenas in Nova Scotia asking about helmet policies for participants and employees. Of the 83 ice facilities in Nova Scotia 22 (27%) responded. These responses included data from outdoor rinks as well. Survey results are as follows:

<u>Participant Helmet Policies</u>			
Yes	No	Encourage	Intend to Implement
14	8	5	2

- The majority have a helmet policy or at the very least, recommend helmet use.
- Eight (8) indicated they have some form of helmet loan program available at their facility.
- Eight (8) have policies for children (18 years or younger).
- Four (4) have a policy making it mandatory for all participants to wear a helmet.
- Two (2) plan to implement a helmet policy within the next year.

<u>Employees Helmet Policies</u>			
Yes	No	Encourage	Intend to Implement
2	16	4	5

- Eight (8) have policies for employees working on the ice for wearing work boots or proper footwear, but not helmets.
- Two (2) have a policy for all employees working on the ice to wear helmets.
- Four (4) stated that they make helmets available to all employees and encourage wearing them.

- Five (5) intend to implement a helmet policy for their employees within the next year.

As per our results, helmet policies or the recommendation of wearing helmets has become more widely prescribed for all on ice activity. RFANS expects to see the implementation of helmet policies increase over the next few years.

Benefits

The most obvious benefit to having a helmet policy for participants and employees accessing the ice surface is the prevention of major head injuries from a fall. The protection, safety and well-being of all who recreate or work on the ice is of high importance. In New Brunswick, a municipal arena worker slipped and fell, striking his head. He was knocked unconscious and suffered a concussion from the fall. The arena worker slipped on fresh ice while moving the nets to the boards to allow the ice resurfer to pass, which also resulted in the net falling on the worker (WorkSafe NB, 2012).

Another incident occurred in 2013 in Ottawa. A city employee fell while flooding the ice and received serious injuries. This incident was investigated by the Ontario Ministry of Labour and they requested the City of Ottawa to identify how they intended to prevent another incident like this from reoccurring. As a result, the city issued a policy requiring employees working on the ice to wear protective headwear (ORFA, 2012). After this policy was issued, another employee fell while working on the ice. While the helmet they were wearing received significant damage, the worker experienced no head injury from the fall (ORFA, 2012).

Cost

Having helmets available onsite for either participants using the ice surface during open/public skates or for employees working on the ice surface has its associated costs. The cost of purchasing a CSA approved hockey helmet can run anywhere between \$50.00 - \$350.00 per helmet depending on your needs.

Having a helmet loan program for participants means facilities should have a variety of helmets sizes on hand given the diversity of people attending and taking part in open/public skates. The same argument can be made for employees. Helmets made available to employees would need to be the correct fit for the employees wearing them. Providing such options could be a significant budget item.

Once enough helmets are available, costs will also be incurred while ensuring that helmets are properly

disinfected and maintained. Employees will need to spend allotted time inspecting, maintaining and disinfecting the equipment. Purchasing helmet disinfectants is a small price to pay to prevent the spread of infectious diseases. Some cost will also be associated with replacing damaged equipment as well.

A facility implementing a helmet policy or recommendation has no obligation to provide helmets for participants; however, there are benefits to doing so. It allows diverse, underrepresented citizens a chance to participate in physical activity by removing barriers and promoting safety, allowing inclusion and access.

Risk Management

The Occupier's Liability Act puts the onus on the owner or person responsible for the facility to provide an environment that is reasonably safe as per Section 4 (1). To clarify further, Section 4(2)(e) could relate to the situation of helmet use. The owner or manager of the facility offering open or public skates, school skates, rentals, etc. could give warning of danger by implementing a helmet policy or strongly recommending the use of helmets, in turn discouraging participants from incurring the risk of serious injury.

Alternatively, as per Section 5(1) the Occupier's Liability Act does reference willing assumption of risk. This means that in terms of helmet policies or recommendations a participant willingly assumes some risk by participating.

What responsibility does an employer have in terms of creating a helmet policy for employees? The Occupational Health and Safety Act (OHSA) in Nova Scotia does not specifically address employees wearing protective headwear outside of industrial environments; however, there are several provisions within the Act that could relate to this situation.

In Section 13(1)(a-f), *Employers' precautions and duties* every employer shall take reasonable precautions to protect the health and safety of persons at the workplace. The OHSA states that it is the responsibility of the employer to:

- Ensure the health and safety of persons at or near the workplace;
- Provide and maintain safety equipment;
- Ensure that the employees and supervisors are familiar with health or safety hazards that they may come across in the workplace;
- Ensure employees are familiar with the proper use of all devices, equipment and clothing required for their protection; and

- Provide employees with instruction, training and supervision necessary to protect their health and safety.

Another provision of the OHSA that could be applicable is Section 28(1)(a) and (2)(a-i), *Requirement for program*. This applies to workplaces where there are 20+ employees. Employers are required to establish and maintain an OHS program which would include policies and procedures identifying and managing hazards in the workplace. This provision would encourage the establishment of a helmet policy for employees or ensure employees are following helmet policies already developed. Training, instruction, education etc. would also be covered under this provision.

Regarding the Occupational Safety General Regulations Section 7(1-3), *Compliance with policies, procedures, plans and codes of practice* the provision is used to ensure when a policy/plan/procedure has been developed for the workplace they are adequate and implemented properly.

Employers should consider creating a helmet policy, recommending the use of helmets or making helmets available for employees to help ensure that they are exercising due diligence in terms of safety while working on the ice.

In terms of insurance, with any type of claim or allegation of negligence there will eventually be an impact to the cost of insurance. In the context of this document it is too hard to gauge. Any and all precautions that can be taken by those accessing and participating in on ice activities should be taken to protect against head injury.

The insurance company who provided this information made note that many National Sport Organizations (NSO) are implementing helmet policies which are slowly being followed. While it is hard for NSO's to enforce in a recreational setting they are trying to make helmets mandatory at all levels. An example of this is Skate Canada will be insisting that figure skaters wear helmets while they are training, but further it has been brought to the insurance companies attention that facilities who rent ice time to them will be requiring helmets be worn by participants as part of their policies.

Recommendations

When implementing a helmet policy for participants or employees there are a few things that should be kept in mind:

- Have a policy statement and objectives (refer to page 5 helpful resources).
- Reference should always be made to the helmet manufacturers instructions regarding fit, maintenance, care and use (ORFA, 2012).
 - Manufacturers instructions will dictate what can and cannot be applied to the helmet in terms of stickers or adhesive. Adhesives can affect the integrity of the helmet and void the CSA certification and/or manufacturers warranty (Jackson).
- Helmets should be replaced immediately following an incident where impact has occurred, regardless if there are any signs of damage (ORFA, 2012).
- Helmets should be cleaned and disinfected regularly for health and safety reasons to help reduce the spread of infectious disease (ORFA, 2012).
- Policies should include a means of reporting any incidents that do happen, whether injuries are sustained or not (ORFA, 2012).
- When choosing a helmet, a CSA approved helmet that includes a chinstrap is required. The helmet and chinstrap should be properly maintained with this being included in any policy that is created (ORFA, 2012).

For Employees:

In addition to the above recommendations, employers should also consider implementing the following within the helmet policy for employees:

- Add proper anti-slip footwear and other protective gear, such as gloves, eye protection, hearing protection, etc. to compliment the helmets (WorkSafe NB, 2012; ORFA, 2012).
- Steps should be taken to educate employees on ways to reduce the potential for a slip, trip or fall, which can include things like keeping hands free when walking on the ice surfaces, learn how to fall properly, identifying hazards, take your time and small steps (ORFA, 2012).

RFANS Support

RFANS recommendation is that facilities with an ice surface consider implementing helmet policies or highly recommend the use of helmets to increase safety within their facilities addressing public participation, as well as, employees. This is only a recommendation, but the trend in helmet safety is seeing a shift in more facilities adopting policies or providing access to helmets to all who use the facility or work on the ice.

RFANS can support this trend through the CSA Hockey Helmet Grant Program administered on behalf

of the financial support of the Department of Communities, Culture and Heritage. This program helps facilities subsidize the cost of helmets to have them available in their facility. This program has seen consistent numbers applying, but through this educational resource we could increase in the number of environments implementing policies that support safety, active living, recreation capacity and increases to participation for populations that face constraints.

Helpful Resources

CSA Hockey Helmet Grant Program

<http://www.rfans.com/training/programs/>

Helmet Policy Examples:

Centre 200, Sydney

<https://www.centre200.ca/c-200-information-guide-a-z.html>

Emera Oval, Halifax

<https://www.halifax.ca/recreation/programs-activities/skating/rules-regulations-emera-oval>

Recreation Newfoundland and Labrador

<http://www.recreationnl.com/arena-helmet-policy/>

The Recreation Facility Association of Nova Scotia recognizes the support of the Province of Nova Scotia. We are pleased to work in partnership with the Department of Communities, Culture and Heritage to develop and promote our resources for all Nova Scotians.



Resources

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